

PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo Regular Meeting Agenda

5:30 PM, Tuesday, April 19, 2016 Room 200, Municipal Council Chambers 351 West Center

Decorum

The Council requests that citizens help maintain the decorum of the meeting by turning off electronic devices, being respectful to the Council and others, and refraining from applauding during the proceedings of the meeting.

Opening Ceremony

Roll Call

Invocation and Pledge

Approval of Minutes

o March 15, 2016 Council Meeting Minutes

Presentations, Proclamations and Awards

- 1. Provology Graduation
- 2. A presentation of a memorial statue in honor of Merril Bingham to Lynda Bingham

Public Comment

Fifteen minutes have been set aside for any person to express ideas, concerns, comments, or issues that are not on the agenda:

Please state your name and city of residence into the microphone.

Please limit your comments to two minutes.

State Law prohibits the Council from acting on items that do not appear on the agenda.

Council Items and Reports

- 3. A resolution appointing an individual to the board of the Metropolitan Water District of Provo. (16-044)
- 4. A resolution appointing an Executive Director for the Municipal Council of the City of Provo,

Mayor's Items and Reports

- 5. A resolution approving a Lease Agreement pertaining to various Provo City streets and an Interlocal Cooperation Agreement pertaining to the Provo-Orem Transportation Improvement Project. (15-110)
- 6. A public hearing on the draft 2016-2017 Annual Action Plan to be submitted to the Department of Housing and Urban Development. (16-033)
- 7. A public hearing on a resolution approving the Community Development Block Grant (CDBG) program for the 2016-2017 Fiscal Year ending on June 30, 2017. (16-033)
- 8. A public hearing on a resolution approving the HOME program for the 2016-2017 Fiscal Year ending on June 30, 2017. (16-033)

Redevelopment Agency of Provo

9. A resolution of the Governing Board of the Redevelopment Agency of Provo City Corporation authorizing the appropriation of \$154,950.37 from unencumbered reserves in fund 279 for the payment of costs incurred by cowboy partners for the remediation of property once owned by the Redevelopment Agency. (16-048)

Policy Items Referred from the Planning Commission

10 A public hearing on an ordinance amending the Zone Map Classification of approximately 6.2 acres of real property, generally located at 2470 West 1160 North, from One-Family Residential (R1.10) to Low Density Residential (LDR). Lakeview North Neighborhood. (16-0001R)

If you have a comment regarding items on the agenda, please email or write to Council Members. Their contact information is listed on the Provo website at: http://provo.org/government/city-council/meet-the-council

Adjournment

Materials and Agenda: http://publicdocuments.provo.org/sirepub/meet.aspx Council Blog: http://provocitycouncil.blogspot.com/

The next scheduled Regular Council Meeting will be held on 05/03/2016 at 5:30 PM in the Council Chambers, 351 West Center Street, Provo, unless otherwise noticed. The Work Session meeting start times is to be determined and will be noticed at least 24 hours prior to the meeting time, but typically begins between 1:00 and 4:00pm.

Notice of Compliance with the Americans with Disabilities Act (ADA)

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aides and services) during this meeting are invited to notify the Provo Council Office at 351 W. Center, Provo, Utah 84601, phone: (801) 852-6120 or email liorgensen@provo.utah.gov at least three

working days prior to the meeting. The meeting room in Provo City Center is fully accessible via the south parking garage access to the elevator. The Council Meeting is also broadcast live Provo Channel 17 at https://www.youtube.com/user/ProvoChannel17. For access to past Work and Council Meetings, go to playlists on https://www.youtube.com/user/ProvoChannel17.

Notice of Compliance with Public Noticing Regulations

This meeting was noticed in compliance with Utah Code 52-4-202 and Provo City Code 14.02.010. Agendas and minutes are accessible through the Provo City website at council Meeting agendas are available through the Utah Public Meeting Notice website at pmm.utah.gov. Email subscriptions to the Utah Public Meeting Notice are available through their website.

Notice of Telephonic Communications

One or more Council members may participate by telephone or Internet communication in this meeting. Telephone or Internet communications will be amplified as needed so all Council members and others attending the meeting will be able to hear the person(s) participating electronically as well as those participating in person. The meeting will be conducted using the same procedures applicable to regular Municipal Council meetings.

Network for public access is "Provo Guest", password "provoguest".

DRAFT - Awaiting Approval



PROVO MUNICIPAL COUNCIL

Redevelopment Agency of Provo Regular Meeting Minutes

5:39 PM, Tuesday, March 15, 2016 Room 200, Municipal Council Chambers 351 West Center

Opening Ceremony

2

1

Roll Call

3

Invocation and Pledge

4

THE FOLLOWING MEMBERS OF THE COUNCIL AND ADMINISTRATION WERE PRESENT:

Council Member Kim Santiago Council Member Vernon K. Van Buren Council Member David Harding Council Member David Knecht CAO Wayne Parker Deputy City Attorney Brian Jones Council Member David Sewell
Council Member Gary Winterton
Council Member George Stewart
Mayor John R. Curtis
Council Executive Director Matthew Taylor

Conducting: Council Chair Kim Santiago

5

Invocation and Pledge

6 7

Invocation – Shane Frye, Rivergrove Neighborhood Boy Scout Troop Pledge – Spencer Frye, Rivergrove Neighborhood Boy Scout Troop

8 9

Neighborhood Report

10 11

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Aaron Skabelund, Rivergrove Neighborhood Co-Chair, presented a neighborhood report for the council. He reported the Rivergrove Neighborhood had a mix of housing with many single family homes. One of the oldest homes in Provo, a log cabin now covered by siding, was located in their neighborhood. The residents had worked hard to improve their neighborhood by participating in several projects such as starting a mobile watch program, making improvements at Lions Park, and creating a more walkable community by putting sidewalks in along 800 West. They were looking forward to several projects in the future such as:

17 18

- Improvements at the intersection of Grandview Avenue and Columbia Lane;
- 19
- Improvements to the Provo River Trail;
- 20 21
- Redesign and redevelopment along Columbia Lane;
 Stairs and parking lot improvements at Lions Park;
- 22 23
- Improvements to Bulldog Blvd (that led into Columbia Lane) to make the area more pedestrian and bicycle friendly; and

DRAFT – Awaiting Approval

| 24 25 | • Widening of 82 | 0 North (with some trepidation). |
|--|--|---|
| 26 27 28 | , . | Neighborhood Co-Chair, indicated they had some concerns about zoning es occupied by multiple families and parking problems. |
| 29 30 31 | - | o City Council and Administration, and specifically Kay Van Buren, for to improve the quality of life in their neighborhood. |
| 32 | Approval of Mir | nutes – March 1, 2016 |
| | Motion: | Council Member Gary Winterton moved to approve the minutes. The motion was seconded by Council Member David Harding. |
| 33 | Roll Call Vote: | The motion passed 7:0 with Council Members David Harding, David Knecht, Kim Santiago, David Sewell, George Stewart, Vernon K. Van Buren, and Gary Winterton in favor. |
| 34 | Public Comment | |
| 35 36 37 | There were no public c | omments. |
| 38 | Mayor's Items and | Reports |
| | | oroving a Power Plant Property Lease Agreement between Provo Iunicipal Power Agency. (16-024) |
| 39 40 41 42 43 44 45 | had agreed to finance the was no urgency to comblease amount and exact | ty Attorney, presented. The winning bidder for construction of the plant the project (rather than UMPA obtaining a bond for the financing) so there plete this lease. There were still some details to work out, such as the clocation of the plant. Mr. Jones asked that the council continue this item details could be resolved. |
| | Motion: | Council Member David Harding moved to continue this item to a date indefinite. The motion was seconded by Council Member George Stewart. |
| 46 47 | Roll Call Vote: | The motion passed 7:0 with Council Members David Harding, David Knecht, Kim Santiago, David Sewell, George Stewart, Vernon K. Van Buren, and Gary Winterton in favor. |
| 48 | Adjourn the Municipal | Council meeting |
| 495051 | Motion: | Council Member David Harding moved to adjourn as the Municipal Council and convene as the Redevelopment Agency at 5:59 p.m. The motion was seconded by Council Member David Knecht. |

DRAFT – Awaiting Approval

Roll Call Vote: The motion passed 7:0 with Council Members David Harding, David Knecht, Kim Santiago, David Sewell, George Stewart, Vernon K. Van Buren, and Gary Winterton in favor. 52 **Redevelopment Agency of Provo** 53 2. Resolution 2016-RDA-03-15-1 of the Governing Board of the Redevelopment Agency of Provo City Corporation authorizing the preparation of a Draft Downtown Redevelopment Community Development Area Plan for new development located within the area from 100 West to 200 West and from 100 North to 400 North in Provo, Utah. (16-036) 54 55 David Walter, Redevelopment Agency Director, presented. The proposed resolution would start the preparation process to create a new Community Development Area plan for a three block 56 57 area in downtown Provo. If the resolution was adopted the RDA would officially notify the 58 Provo School Board and seek their input on the plan. 59 Motion: Board Member David Knecht moved to approve **Resolution 2016-**RDA-03-15-1. The motion was seconded by Board Member Vernon K. Van Buren. 60 The motion passed 7:0 with Board Members David Harding, David Roll Call Vote: Knecht, Kim Santiago, David Sewell, George Stewart, Vernon K. Van Buren, and Gary Winterton in favor. 61 62 Adjourn 63 Motion: Board Member Kim Santiago moved to adjourn the meeting at 6:07 p.m. The motion was seconded by Board Member Gary Winterton. 64 Roll Call Vote: The motion passed 7:0 with Board Members David Harding, David Knecht, Kim Santiago, David Sewell, George Stewart, Vernon K. Van Buren, and Gary Winterton in favor. 65

RESOLUTION 2016-1 2 A RESOLUTION APPOINTING AN INDIVIDUAL TO THE BOARD OF THE 3 METROPOLITAN WATER DISTRICT OF PROVO. (16-044) 4 5 WHEREAS, the Municipal Council, acting pursuant to Utah Code § 17B-2a-604(2) and 6 Provo City Code § 2.28.010 is responsible to appoint members of the board of trustees of the 7 Metropolitan Water District of Provo; and 8 9 WHEREAS, on April 19, 2016 the Municipal Council held a duly noticed public meeting 10 to ascertain the facts regarding this matter, which facts are found in the meeting record; and 11 12 WHEREAS, after considering the facts presented to the Municipal Council, the Council 13 finds (i) the individual listed below should be appointed to serve as a member of the board of 14 trustees of the Metropolitan Water District of Provo and (ii) such appointment will reasonably 15 further the health, safety and general welfare of the citizens of Provo City. 16 17 NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah, as 18 follows: 19 20 PART I: 21 22 1. The citizen whose name appears below is appointed to serve on the following board for 23 the term shown: 24 25 26 Appointee's Name Board Ending Richard Brimhall June 30, 2020 Metropolitan Water District 27 28 2. The aforesaid appointment shall take effect immediately. 29 30 PART II: 31 32 33 This resolution shall take effect immediately. 34 END OF RESOLUTION. 35

| 1 | RESOLUTION 2016- |
|----------|--|
| 2 | |
| 3 | A RESOLUTION APPOINTING AS THE EXECUTIVE |
| 4 | DIRECTOR FOR THE MUNICIPAL COUNCIL OF THE CITY OF PROVO, |
| 5 | UTAH. (16-047) |
| 6 | |
| 7 | WHEREAS, the City of Provo is organized under a council-mayor form of government |
| 8 | with a mayor and independent municipal council; and |
| 9 | |
| 10 | WHEREAS, it is proposed by that be appointed as the Executive Director for |
| 11 | the Municipal Council; and |
| 12 | |
| 13 | WHEREAS, on April 19, 2016, the Municipal Council held a duly noticed public |
| 14 | meeting to ascertain facts regarding this matter, which facts are found in the meeting record; and |
| 15 | |
| 16 | WHEREAS, after considering the proposed appointment the Municipal Council finds: (i) |
| 17 | meets the qualifications of the posted position and has the requisite skills and abilities |
| 18 | to perform the duties of the Executive Director, and (ii) such appointment reasonably furthers the |
| 19 | health, safety and general welfare of the citizens Provo City. |
| 20 | NOW THEREFORE 1 '4 1 11 41 M ' ' 1 C ' 1 CR C' 14 1 |
| 21 | NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah, as |
| 22 | follows: |
| 23 | DADT I. |
| 24 25 | PART I: |
| | The Municipal Council hereby appoints as Executive Director for the Municipal |
| 26 27 | Council. |
| 28 | Council. |
| 29 | PART II: |
| 30 | TAKT II. |
| 31 | This resolution shall take effect immediately. |
| 32 | This resolution shall take effect inimediately. |
| 33 | END OF RESOLUTION. |
| 55 | End of the operation. |

| PROVO MUNI | CIPAL COUNCIL STAFF REPORT | Agenda: 12 April 2016 |
|------------|--|-----------------------------|
| TOPIC | Approval of Interlocal Agreement and Lease Agreemen | t Related to the Provo-Orem |
| | Transportation Improvement Project (Bus Rapid Transi | t) |
| PREPARER | Wayne Parker, Chief Administrative Officer | 801-852-6102 |
| Updated | 11 April 2016 | |

Background

As transportation planning began several years in advance of the 2002 Winter Olympics, discussions were underway about the opportunity to use the coming Games to stimulate needed infrastructure improvements. Most were needed for the Olympics, but many were simply needed and the Olympics became the catalyst for these improvements. Both improved freeway access and enhanced transit were needed for the growth coming to the Wasatch Front, and the Olympic catalyst helped bring the first I-15 project and the first rail-based transit in Salt Lake City. Communities with Olympic venues outside the Salt Lake Valley (Park City, Ogden and Provo) were also studied for improvements, but price tags were well beyond the reach of reality prior to the Games.

About the same time, the Wasatch Front Regional Council (serving the Salt Lake and Ogden areas), Mountainland Association of Governments (serving Utah, Summit and Wasatch Counties), UDOT and UTA began to work in earnest on regional transportation plans that included freeway improvements, other roadway improvements and transit expansion. Part of the regional transit plan, the Inter-Regional Corridor Alternatives Analysis, called for a much improved, more predictable and faster mass transit system for the Wasatch Front urban area, including in Utah County. Following this study completed in 1999, MAG undertook an alternatives study to determine which approach was best for the Provo Orem area and which could be funded with limited local resources.

This alternatives study was completed in 2005 by the engineering firm of Carter Burgess. In that study, Bus Rapid Transit (BRT) was defined as the best alternative, and the preliminary route identified in the study called for the BRT to run in dedicated lanes on University Avenue from the Towne Center Mall to 800 North, east on 800 North then north across the BYU Campus to University Parkway, then west into Orem (page 7-2).

The alternatives study recommended proceeding with a full Environmental Assessment (EA) to comply with the National Environmental Protection Act (NEPA) to evaluate alternatives and assess the environmental impact of those alternatives. That study began in 2007 and was completed in 2011. As a part of that assessment project, various routes were identified and evaluated based on environmental, cost and operational factors. As a part of the EA, a new alternatives analysis was conducted in 2010 which resulted in the definition of the locally preferred alternative. This study demonstrates the extent to which analytical work was done, alternatives were reviewed and public input was sought and considered. A variety of scoping meetings were held in addition to public open houses, a project website and multiple coordination meetings and public presentations through 2008 and 2009. These are detailed in the coordination chapter of the EA.

The EA resulted in the definition of a locally preferred alternative (LPA) which included the BRT wrapping around BYU on 900 East with a northbound only dedicated lane and a BRT station near the Creamery on Ninth East. The transit planners' initial preferred alignment was to take BRT across the BYU Campus on East Campus and North Campus Drives, but because these were privately owned streets, the University would need to grant a permanent easement and allow improvements to be made for stations. BYU declined to give permission, which led to the option of moving the alignment to 900 East during the EA process.

Armed with the EA and the LPA, the staff members from the two cities, UTA, UDOT and MAG began the process of preparing for and securing funding for the BRT route. The EA was submitted to the Federal Highway Administration, which issued a Finding of No Significant Impact (FONSI), clearing the way for continued work on the design of the project.

The cost of the project as currently scoped is estimated at \$150 million. A federal Small Starts transit grant would fund 50% of the project costs up to a maximum of \$75 million. Thus, a \$75 million local match from local resources needed to be found to apply for the federal funding.

Provo City Policy on the Bus Rapid Transit Project

In 2013 and 2014, as the Environmental Assessment was being finalized, questions developed from many in the Provo community, including from members of the Municipal Council, about the project. Questions centered primarily around:

- (a) whether the route proposed in the process and identified as the LPA truly would be best for the system in terms of ridership and minimizing impact on residential areas,
- (b) whether impacts on University Avenue could be mitigated to the point where buses, other vehicles, pedestrians, bicycles, landscaping, and local parking could all be reasonably minimized during and after construction,
- (c) whether mitigation on 900 East could protect Wasatch Elementary School, BYU and the neighboring residential areas if the bus route ran along 900 East, and
- (d) whether other related improvements could be made to enhance the areas impacted by the new BRT route

In 2013-14, the Administration and the Municipal Council held a number of meetings, public hearings, open houses and other similar outreach efforts to gather feedback from our residents and other stakeholders about the BRT project. Additionally, the Council commissioned an independent study led by Hales Engineering to evaluate the route and to validate ridership numbers advanced by UTA and their consultants. The Hales study validated that the LPA route was the best one among those evaluated, and subsequently the Mayor and Municipal Council adopted a joint resolution which expressed support for the LPA route and expressed other concerns that we all hoped to address in the design of the BRT project. In pertinent part, the resolution stated:

The Mayor and Municipal Council hereby express their support for the 2013 Locally Preferred Alternative (commonly known as Route 4) as the Bus Rapid Transit alignment that best meets the criteria of the city of Provo, the Utah Transit Authority and the Mountainland Association of Governments and which has the best possibility of funding from Utah County, UTA, UDOT, MAG and the Federal Transit Administration.

The Mayor and Municipal Council hereby express their commitment to engage with UTA, MAG, UDOT and other stakeholders in a detailed review of possible enhancement strategies to make the Locally Preferred Alternative as responsive as possible to the needs and concerns of residents, neighborhoods, the traveling public and the Provo business community impacted by the proposed alignment, as well as key institutions to be served by the BRT, and to ensure that funding for appropriate enhancements shall be part of the BRT funding package and other relevant sources. Potential enhancements shall address, at a minimum, improvements for business and residential ingress and egress, pedestrian safety, bicycle safety, parking, noise abatement, school security, landscaping, and other factors that may arise as the project is designed and built.

Additionally, in the Council Work Meeting on September 1, 2015, the Mayor and Council asked UTA to ensure that a multi-use path and frontage road along 900 East from Birch Lane to Fir Avenue be included in the project baseline to address safety concerns in that area.

The Project Status

Currently, funding for the BRT project has been included in the Federal Transit Administration (FTA) budget (\$75 million) and bonding for the local cash match (\$65 million) has been approved by Utah County. Lease agreements with the City of Provo, the City of Orem and the Utah Department of Transportation will account for the remaining \$10 million in required local match. Bonding for the local cash match will be done by Utah County with proceeds coming from revenue from a local transportation sales tax, and will be repaid (principle and interest) by UTA after 12 years from available resources in the transit sales tax.

Funding has been allocated by Utah County and by the Federal Transit Administration to continue design on the BRT project, which is approaching the 60% design level. Buses have been ordered by UTA for the BRT line.

The Agreements

Before the Municipal Council are two agreements which implement the BRT process.

<u>Lease Agreement</u>. The Lease Agreement authorizes UTA to make use of city property and rights of way for (1) station locations along city streets and (2) dedicated lanes for the BRT project on city rights of way. The Agreement is for a term of 50 years, which term was requested by the FTA and is standard in similar agreements across the country. The Lease Agreement also specifies changes that the Administration has been working on including in the baseline project scope, as well as identifying

priority project enhancements should funding in the project be sufficient to fund them. The Lease Agreement calls out two significant additions to the project baseline which are the 900 East Frontage Road from Birch to Fir Streets and pedestrian safety improvements on 700 North at 200 East and on University Parkway west of the Missionary Training Center. It also includes three projects as "priority enhancements," which will be funded first from any surplus project costs. These include a landscaped median on 900 East, pedestrian safety lighting improvements on 700 North and street improvements to enhance a proposed transit center on the south side of the BYU campus near 900 North.

The Lease Agreement also provides a method by which the City can reclaim the leased right of way should UTA cease operating the BRT system. The City also agrees to waive any fees associated with land use permits, agrees to work with UTA and UDOT on traffic signal coordination, establishes maintenance responsibilities between the City and UTA, and includes other provisions required by UTA and FTA in such agreements.

Adoption of the Lease Agreements by the parties is a needed precursor to securing the formal grant agreement between FTA and UTA. The Lease Agreement with UDOT has already been signed and the Orem City Council is considering the signing of their lease agreement on April 12.

<u>The Interlocal Agreement</u>. The Interlocal Agreement establishes the governance model for the project. In an effort to enhance UTA's transparency, and after significant negotiations between Provo City, Orem City, Utah County, MAG, UDOT and UTA, a new project governance model is proposed in the Interlocal Agreement. This model is unprecedented in UTA's history and represents a significant departure from their normal practice. The Agreement gives significant involvement to the stakeholder partners in the execution and management of the project.

We should note that the Interlocal Agreement actually makes reference to the "Provo Orem Transportation Improvement Project" rather than just the Bus Rapid Transit Project. Funding for the UDOT improvements on University Parkway – which are being timed with the BRT project to maximize efficiency and reduce construction time – are included in the "Transportation Improvement Project" along with the BRT funding. Accordingly, the budget associated with the broader project includes UDOT funding for University Parkway along with the BRT project funds.

The Agreement creates an executive committee composed of the chief executives of the two cities, Utah County, MAG, UDOT Region 3 and UTA which has control of the project budget, change orders, project scope, station design and release of contingency. It also creates a project management committee composed of the engineering professionals in the stakeholder entities which have day to day project management authority.

How the Agreements and Design Address the City's Concerns

| Concern | How and Where Addressed |
|---|---|
| Improvements for business and residential ingress | Project Design – the baseline design includes a |
| and egress | variety of ingress and egress improvements for |
| | businesses and residential areas along the |

| | corridor. Some turning movements will be limited |
|-------------------|--|
| | on University Avenue and 700 North to |
| | accommodate dedicated lanes for the BRT |
| | Lease Agreement – the 900 East Frontage Road |
| | will allow safer ingress and egress for residents |
| | along 900 East from Birch Lane to Fir Street. |
| Pedestrian safety | Project Design – significant pedestrian safety |
| | enhancements have already been provided in |
| | baseline project design in many Provo areas along |
| | the route. |
| | Lease Agreement - Specific pedestrian crossing |
| | enhancements have been negotiated in the Lease |
| | Agreement on 700 North and 200 East and on |
| | University Parkway west of the MTC. |
| | Supplemental pedestrian level lighting on 700 |
| | North has been included as a priority |
| | enhancement in the Lease Agreement. |
| Bicycle safety | Project Design – bicycle lanes will be added on |
| Bicycle surety | University Avenue from 300 South to 700 North |
| | and a multiuse path has been added on 900 East |
| | from University Parkway to Birch Lane. |
| Parking | |
| Parking | Project Design – the project team has worked |
| | closely with businesses along University Avenue |
| | and with City staff to minimize the on-street |
| | parking space loss where parking is most critical on |
| | University Avenue. The dedicated lanes are being |
| | placed on 700 North in part because it does not |
| | disrupt any existing on-street parking. |
| Noise abatement | Project Design – with the elimination of stations |
| | on 900 East and the coordination of signals along |
| | the entire route, noise should not be any greater |
| | than currently occurring in residential areas that |
| | front along the route. |
| School security | Project Design – No stations will be located on 900 |
| | East near Wasatch Elementary School. |
| Landscaping | Project Design – the City staff has worked closely |
| | with the design team to replace lost landscaping |
| | on University Parkway through Provo and to |
| | minimize the loss of street landscaping on |
| | University Avenue. |
| | Lease Agreement – a landscaped median on 900 |
| | East is included as a priority enhancement |
| | |

What if the Lease Agreement and Interlocal Agreement are Not Approved?

The Administration has heard multiple concerns about whether the City can kill the BRT project if they don't approve the lease agreement and the interlocal agreement. While that might be a possibility, our fear is that failure of the City to approve the agreements will simply result in a less than optimal project.

For example, if stations had to be located other than on city right of way, it would eliminate center running stations on 700 North and move them to smaller side locations on private property that would have to be acquired at higher costs, resulting in the elimination of some stations. It may also eliminate side stations at the Provo Towne Center Mall and in the East Bay Business Park, or perhaps the elimination of the routing south of the Provo intermodal center, reducing the usability of the BRT for shoppers and workers in Provo.

If the dedicated lanes needed to be removed from Provo streets and the length of dedicated lanes in the project would fall below the 50% threshold for FTA projects, that dedicated lane length would need to be replaced in areas where they are not currently called out – perhaps in Orem or on the UVU campus. This would likely reduce the usefulness of the project in Provo.

But an even greater risk of failing to adopt the agreements would be the loss of the benefits to the community that would be gained not only by the BRT project but also the related improvements in our community detailed above. And, importantly, the City would lose the element of involvement in the project execution that we gain through the Interlocal Agreement.

Recommendation

The Administration strongly recommends that the Council adopt by resolution the Interlocal Agreement and the Lease Agreement and authorize the Mayor to execute these agreements on behalf of the City. We feel that the BRT project is critical to our success as a city in both the short and long runs. As our community grows as the government, financial, political and education center of the rapidly growing Utah Valley, a credible transit option is vital. The success of light rail in Salt Lake City and the success of bus rapid transit projects across the country give us the confidence that the BRT will be a very popular transit option in our community and will exceed ridership expectations. Based on conversations with the new owners of the Provo Towne Center Mall and The Mix, we see it as crucial to the success of these important economic investments in our community.

Finally, we feel very strongly that the negotiated governance model included in the Interlocal Agreement will allow us to shape this project in the best way possible. The Interlocal provides us the tools we need to make sure that the project is well and efficiently built, that the needs of the stakeholders are met, and that the funds from both federal and local taxpayers are transparently and effectively used.

| 1 | RESOLUTION 2016 |
|-----------|--|
| 2 | |
| 3 | A RESOLUTION APPROVING A LEASE AGREEMENT PERTAINING TO |
| 4 | VARIOUS PROVO CITY STREETS AND AN INTERLOCAL |
| 5 | COOPERATION AGREEMENT PERTAINING TO THE PROVO-OREM |
| 6 | TRANSPORTATION IMPROVEMENT PROJECT. (15-110) |
| 7 | |
| 8 | |
| 9 | WHEREAS, Provo City and Utah Transit Authority ("UTA") have agreed that the City |
| 0 | will lease to UTA portions of various Provo Streets currently owned by Provo City; and |
| 1 | |
| 2 | WHEREAS, Provo City, the City of Orem, Utah Department of Transportation (UDOT), |
| 3 | Utah Transit Authority (UTA), and the Mountainland Association of Governments (MAG) have |
| 4 | agreed to an Interlocal Cooperation Agreement setting forth a process for resolving issues related |
| 5 | to the Project that are not addressed in the Lease Agreements UTA is entering into with Provo |
| 6 | and Orem; and |
| 7 | |
| 8 | WHEREAS, the general descriptions of the areas leased to UTA for UTA Facilities |
| 9 | described in the Lease Agreement are based on the preliminary design drawings dated October |
| 20 | 17, 2014; and |
| 21 | |
| 22 | WHEREAS, Provo is donating the rights set forth in this Lease Agreement to UTA at no |
| 23 | cost, as an in-kind contribution to the Project; and |
| 24 | |
| 25 | WHEREAS, the rights set forth in the Lease Agreement are for an initial term of fifty |
| 26 | (50) years from the date of the Agreement; and |
| 27 | |
| 28 | WHEREAS, on September 1, 2016, April 12, 2016, and April 19, 2016, the Provo |
| 29 | Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, |
| 30 | which facts are found in the meeting records; and |
| 31 | |
| 32 | WHEREAS, after considering the facts presented to the Municipal Council, the Council |
| 33 | finds: (i) the attached Lease Agreement should be approved; (ii) the attached Interlocal |
| 34 | Cooperation Agreement should be approved; and (iii) such action furthers the health, safety, and |
| 35 | general welfare of the citizens of Provo City. |
| 36 | NOW TWENTERS IN A 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| 37 | NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah, as |
| 88 | follows: |
| 39 | DADELI. |
| 10 | PART I: |
| 11 | The stand Dubble West Land Assessment 1 to D. C. LUTA: 1 1 |
| 12 | The attached Public Way Lease Agreement between Provo City and UTA is hereby |
| 13 | approved and the Mayor is authorized to execute the Agreement. |
| 14 1.5 | DADT II. |
| 15 | PART II: |

| 47 | The attached Interlocal Cooperation Agreement between Provo City, the City of Orem, |
|----|---|
| 48 | UDOT, UTA, and MAG is hereby approved and the Mayor is authorized to execute the |
| 49 | Agreement. |
| 50 | |
| 51 | PART III: |
| 52 | |
| 53 | This resolution shall take effect immediately. |
| 54 | |
| 55 | END OF RESOLUTION |

PUBLIC WAY LEASE AGREEMENT

This Public Way Lease Agreement ("Agreement") is entered into as of ______, 2016, by and between Provo City ("Provo"), a municipal corporation, and Utah Transit Authority ("UTA"), a public transit district.

RECITALS

- A. Provo owns and has jurisdiction over a network of streets within its municipal boundaries.
- B. UTA is engaged in a project ("Project") to design, construct, and operate a Bus Rapid Transit System that will follow a route through Provo and Orem (the "BRT System"), and which will serve the residents of Provo and Orem.
- C. The parties desire to enter into this Agreement to (i) provide UTA with the right to construct and operate the BRT System on Provo streets, and (ii) to define the parties' roles and responsibilities with respect to the design and construction of the Project, and with respect to the operation and maintenance of the completed BRT System.

AGREEMENT

In consideration of the promises contained herein, the parties agree as follows:

1. **Definitions.**

- "Exclusive BRT Lanes" means the sections of roadway to be constructed on Provo Streets as part of the Project that will be designated for exclusive use by UTA buses. The Exclusive BRT Lanes do not include the underlying real property.
- "Provo Streets" means those public streets within Provo's municipal boundaries that are not designated as State highways under Utah Code Ann. Title 72, Chapter 4.
- "Provo Street Improvements" means the land, roadway materials, curb, gutter, sidewalks and other improvements to be acquired, installed, or constructed on Provo Streets as part of the Project, and which are not considered UTA Facilities. The Provo Street Improvements include, but are not limited to, relocated sidewalks, widened roadways, and traffic control devices.
- "UTA Facilities" means the BRT Stations and appurtenant improvements such as canopies, benches, and ticket vending machines, the Exclusive BRT Lanes, and communications infrastructure serving the BRT Stations.
- 2. **Alignment.** The BRT System alignment is depicted on Exhibit A hereto, and includes the following Provo Streets: University Parkway (between S.R. 189 and 900 East), 900

East (between University Parkway and 900 North), 900 North (between 900 East and 700 East), 700 East (between 900 North and 700 North), 700 North (between 700 East and University Avenue), 750 South (between 100 West and Freedom Boulevard), Freedom Boulevard (between 750 South and Towne Centre Boulevard); Towne Center Boulevard (between Freedom Boulevard and East Bay Boulevard); East Bay Boulevard (between Towne Centre Boulevard and 1860 South); 100 West (between 920 South and 750 South), 920 South (between University Avenue and Freedom Boulevard); and 1860 South (between East Bay Boulevard and University Avenue).

- 3. **Lease of Provo Streets for UTA Facilities.** (a) Provo leases to UTA the following portions of Provo Streets (collectively referred to as the "Leased Premises"):
 - i. Two strips, each approximately 11 feet wide, along the outsides of 900 North Street, between 900 East and East Campus Drive, for use as Exclusive BRT Lanes.
 - ii. A strip in the center of 700 North Street, approximately 22 feet wide, from 700 East to University Avenue, for use as Exclusive BRT Lanes.
 - iii. An area roughly 14 by 128 feet on the north side of 1860 South, to the east of Novell Place, for use as a BRT Station.
 - iv. A strip along the north side of 1860 South Street, approximately 11 feet wide, for use as an Exclusive BRT Lane
 - v. An area roughly 14 by 128 feet on the south side of East Bay Boulevard, to the west of 180 East Street, for use as a BRT Station.
 - vi. An area roughly 14 by 104 feet in the center of 700 North, to the east of 400 East, for use as a BRT Station.
 - vii. Two areas, each roughly 14 by 128 feet, along the outsides of 900 North Street, to the east of East Campus Drive, for use as a BRT Stations.
 - viii. Two areas, each roughly 14 by 128 feet, along the outsides of University Parkway, to the west of 900 East, for use as BRT Stations.
 - ix. Two areas, each roughly 14 by 128 feet, along the outsides of University Parkway, to the east of Canyon Road, for use as a BRT Station.
 - x. An area roughly 14 by 128 feet, along the north side of Towne Center Boulevard, just north of Towne Center Drive, for use as a BRT Station.
 - (b) The general descriptions of the areas leased to UTA for UTA Facilities provided above are based on the preliminary design drawings dated October 17, 2014. The final,

precise locations and boundaries of the areas leased to UTA for UTA Facilities will be as shown on the final as-built drawings, complete copies of which shall be furnished by UTA to Provo City. Following completion of the Project, the parties will execute an addendum to this Agreement adopting the as-built drawings as the documents defining the leased areas.

- (c) As of the date of this Agreement, some of the areas leased to UTA for UTA facilities, as described above, are not owned by Provo. UTA shall, as part of the Project, acquire those areas through voluntary transactions, or, if necessary, request that the Utah Department of Transportation acquire those areas through the use of eminent domain, as provided in Utah Code Ann. § 17B-2a-820. Following the completion of the Project, UTA will convey and dedicate those areas to Provo, in a manner to be determined by Provo. Upon such conveyance or dedication to Provo, the leases described above will take effect as to those areas.
- (d) The leases described above are valued at \$1,726,000 (inclusive of rights-of-way to be purchased by UTA from private property owners and transferred to Provo for inclusion under this Agreement). Provo is donating the rights set forth in this Agreement to UTA at no cost, as an in-kind contribution to the Project.
- (e) Notwithstanding the use of the term "lease" in this Agreement, the parties do not intend that UTA be deemed a "tenant" pursuant to Utah Code Ann. § 78B-6-801 *et seq.* Rather, the parties intend that the parties' rights and remedies under this Agreement be determined solely by the express terms of this Agreement.
- 4. **Term.** (a) The rights set forth above are for an initial term of fifty (50) years from the date of this Agreement. One year prior to the end of the initial term, UTA shall invite Provo to propose amendments to the terms of this Agreement to address changed circumstances. So long as the parties are able to agree to those proposed amendments, or agree in writing that no amendments are warranted, this Agreement will renew for an additional term of twenty-five (25) years.
 - (b) Notwithstanding subsection 4(a), Provo may terminate this Agreement prior to the expiration of the then-current term if (i) UTA permanently terminates or abandons transit service on the Leased Premises, (ii) UTA does not provide transit service on the Leased Premises for a period of one year, except when due to a force majeure event, in which case such one year period shall be tolled for the duration of the force majeure event and any time necessary to reconstruct UTA Facilities, so long as UTA is engaged in good faith efforts to reconstruct the UTA Facilities, or (iii) UTA commits a material, continuing breach of this Agreement that subjects Provo to irreparable harm for which monetary damages are inadequate compensation.

- (c) Prior to terminating the Agreement for one of the reasons stated in subsection 4(b), Provo shall provide UTA with written notice of its intent to terminate and its basis for doing so. If UTA does not recommence transit service or cure the breach, as applicable, within six (6) months from the date of Provo's notice, the rights granted in this Agreement will terminate and UTA shall, upon Provo's request, remove all UTA Facilities within six (6) months of said termination.
- (d) Provo may terminate this Agreement as to any portion of the Leased Premises on which UTA either (i) permanently terminates or abandons transit service, or (ii) does not provide transit service for one year, except when due to a force majeure event, in which case such one year period shall be tolled for the duration of the force majeure event and any time necessary to reconstruct UTA Facilities, so long as UTA is engaged in good faith efforts to reconstruct the UTA Facilities. If Provo desires to terminate this Agreement as to any portion of the Leased Premises, it shall provide the notice described in paragraph 4(c), and UTA will have six (6) months to recommence transit service and avoid termination, as described in paragraph 4(c).
- 5. **Project Management.** The Parties contemplate that they will also be parties to a proposed Interlocal Cooperation Agreement among Provo City, City of Orem, Utah Department of Transportation, Utah Transit Authority, and the Mountainland Association of Governments pertaining to A Public Transportation Project Known as the Provo-Orem Transportation Improvement Project (the "Interlocal Agreement"). That Interlocal Agreement will create a Project Management Committee and an Executive Committee. The Parties will be represented on both Committees, which shall oversee and manage the Project as described in the Interlocal Agreement.
- 6. **Design.** With participation by the Provo City Engineer, UTA has selected and engaged the engineering firm AECOM to design the BRT System. The Provo Street Improvements shall be designed in accordance with applicable Provo specifications. Throughout the design process, UTA shall cause the design firm to provide Provo with the opportunity of reviewing, commenting on, and approving all design submittals, including the preliminary design documents and the final design documents. Provo may provide comments to any design submittals and UTA will direct the design firm to incorporate changes into the design submittals. To the greatest extent possible, the parties desire to ensure that the BRT System will not have any negative impact on traffic, pedestrian flow and bicycle safety in Provo. In order to further this objective, the parties agree that the design and construction of the BRT System shall comply with the following guidelines and principles:
 - (a) 900 East Frontage Road. The BRT project will construct a frontage road on the east side of 900 East to address safety issues due to the 10' multiuse path along the east side of 900 East, substantially in compliance with the design sheet attached hereto as Exhibit C.

- (b) Pedestrian Safety. The BRT project will construct pedestrian enhanced crossings on 700 North at 200 East and on University Parkway just west of the Missionary Training Center.
- 7. **Construction.** With participation by the Provo City Engineer, UTA has selected and engaged a qualified firm to construct the BRT System. Throughout the construction process, Provo will have continuous access to the Project site to monitor Project construction and to ensure that construction meets applicable City specifications and is performed in accordance with the final design documents.
- 8. **Enhancements.** (a) Provo may request additions to the baseline scope of the Project ("Enhancements"). UTA shall cause the design and/or construction firm to include Enhancements if (i) the party requesting the Enhancement agrees to pay for it, (ii) the Enhancement is not prohibited by a governing State or federal standard, (iii) the Enhancement is within the scope of the Environmental Assessment prepared pursuant to the National Environmental Policy Act ("Act"), or is a Categorical Exclusion under the Act, (iv) the Enhancement does not substantially adversely impact the operation or maintenance of the Project; and (v) the Enhancement will not unreasonably delay or interfere with the Project schedule.
 - (b) Baseline Scope Defined. With respect to the alignment of the BRT System, location of Exclusive BRT Lanes and BRT Stations, location of barrier curbs, retaining walls, curb and gutter, and right of way width, "baseline scope" is defined by the Finding of No Significant Impact ("FONSI") issued by FTA on March 27, 2015. With respect to the UTA Facilities, the "baseline scope" additionally means the work necessary to allow the BRT System to function as required by applicable UTA and federal requirements, including those set forth in the Capital Improvements Grant Agreement and in the FONSI. With respect to the Provo Street Improvements, the "baseline scope" additionally means the work necessary to meet applicable City specifications; provided, however, that where Provo Street Improvements are adjacent to existing city roadways or facilities, the new improvements shall be deemed to meet the "baseline scope" if they match the existing roadways or facilities. As of the execution of this Agreement, the baseline scope is as depicted on the preliminary design drawings dated October 17, 2014. The parties acknowledge that the final design, including materials, colors, and aesthetics will be further refined and agreed upon through the final design process. The "final" baseline scope will be as depicted on the final design documents. The final baseline scope shall include all elements that are incorporated into the final design documents pursuant to or in conformance with the guidelines, principles and requirements of Section 6 of this Agreement. All elements of the final design documents shall be considered to be part of the baseline scope of the Project unless otherwise clearly noted on the final design documents.

- (c) **Priority Enhancements.** The proposed Enhancements listed on Exhibit B ("Priority Enhancements") will be paid for with Project funds only if sufficient Project funds are available to complete them after the baseline scope has been completed. All reasonable efforts will be made by the Parties to find sufficient Project funds to cover these proposed enhancements. If left over Project funds are not sufficient to pay for all of the proposed Enhancements on Exhibit B, the Executive Team created by the Interlocal Agreement described in Section 20(c) shall have the authority to determine which of the Priority Enhancements will be completed. The use of FTA funds to fund the proposed Enhancements on Exhibit B is subject to FTA approval.
- (d) **Enhancement Agreements.** The parties will formalize their agreement regarding any specific enhancement in separate written agreements (each, an "Enhancement Agreement").
- 9. **Permitting.** Provo shall waive all fees typically charged for licenses, applications, plan reviews, building permits, and land use permits. The value of such fees will be determined at the time they would otherwise be imposed. Provo is not required to waive payment for any out-of-pocket costs it incurs in connection with permitting activities. Provo specifically reserves the right to charge street cut fees.
- 10. **Utility Relocations.** Completion of the Project will require the relocation of publicly and privately-owned utility facilities. With respect to private utility facilities located in Provo Streets pursuant to franchise agreements, UTA and Provo may jointly agree that Provo will exercise its rights under the franchise agreements to require the private utility companies to relocate their facilities as required by the Project. However, whether Provo elects to exercise any such franchise rights, shall be in Provo's sole discretion.
- 11. **Ownership of Improvements.** Provo shall own the Provo Street Improvements, and will have no ownership interest in the UTA Facilities.
- 12. **Operations.** UTA shall operate, maintain, and control the BRT System and provide regular service to the general public in accordance with applicable Federal and state law.
- 13. **No Public Forums.** In recognition of the safety concerns associated with potentially crowded station platforms, substantial foot traffic, street traffic and BRT System vehicle traffic, and the resulting need for crowd control and attention to surroundings, the parties intend that no part of the BRT System, specifically including station platforms, will be considered public forums.
- 14. **Traffic Signal Priority.** As part of the Project, the traffic signal systems along the BRT System alignment will be programmed to give priority to BRT vehicles over cross-traffic. The signal timing will be determined as part of the design process and will be subject to

the approval of the parties, with the intent of striking an appropriate balance between BRT System efficiency and other local traffic needs. No party may alter or adjust the signal timing in a way that impacts or changes the priority of BRT vehicles, unless such alterations or adjustments are performed in coordination with the other party.

- 15. **Maintenance.** (a) UTA shall be responsible for all routine and long-term maintenance of the UTA Facilities, except for routine maintenance of, and snow removal from, the Exclusive BRT Lanes. UTA shall be responsible for snow removal at BRT Stations.
 - Provo shall be responsible for all routine and long-term maintenance of the Provo Provo shall be responsible for routine maintenance of the Street Improvements. Exclusive BRT Lanes. UTA shall reimburse Provo for the cost of performing routine maintenance of the Exclusive BRT Lanes on Provo streets. Such reimbursement shall be paid to Provo on an annual basis, upon receipt from Provo of an invoice and an accounting of costs incurred by Provo in performing routine maintenance on the Exclusive BRT Lanes on Provo streets. Routine maintenance of Provo Street Improvements includes snow removal, crack sealing, pothole repair, and maintenance of traffic signals. Provo shall be responsible for snow removal from Provo Streets, including the Exclusive BRT Lanes. UTA, subject to Provo's approval, shall cause the design firm to design the Exclusive BRT Lanes in such a way as to allow Provo to perform snow removal with Provo's standard snow removal equipment and procedures. In all cases, Provo shall have the right to determine both the frequency and scope of any such maintenance activities.
 - (c) Long term maintenance of Provo Streets includes mill and overlay projects, as well as more comprehensive pavement replacement. Any such maintenance will be coordinated between the parties to minimize disruption to the BRT System and other traffic.
 - (d) During the final design process, the parties shall develop a plan for snow removal. That plan must identify areas for storage of removed snow, such that pedestrian, BRT, and automobile traffic is not impeded.
 - (e) To coordinate maintenance responsibilities, the parties shall exchange routine and emergency contact information and keep such information current.
- 16. City Access to Exclusive BRT Lanes. UTA acknowledges the existence of public and private utility facilities under the Exclusive BRT Lanes. Provo reserves the right to enter the Exclusive BRT Lanes as and when reasonably necessary to inspect, maintain, repair, or replace City-owned facilities located on, under, or adjacent to the Exclusive BRT Lanes. To the extent reasonably possible, Provo shall coordinate such work with UTA in advance, in order to ensure safety and to minimize disruption of BRT operations.

Proposals to make minor realignments of the Exclusive BRT Lanes will be coordinated between the Parties.

- 17. **Realignment**. (a) UTA will not disapprove of Provo's request to make minor realignments of the BRT lanes if Provo pays for the realignment and the realignment of the lane does not have significant impact to the BRT route or operation.
 - (b) UTA will not disapprove of Provo's request to change the route of the BRT System under the following conditions:
 - i. The legislative body of Provo makes a finding after a public hearing that the new proposed route has a greater public benefit than the then-existing route;
 - ii. The proposed realignment of the BRT System is accomplished by the replacement of any specific portion of the Leased Premises that will no longer be part of the alignment with other property that allows the BRT System to function in a way that is mutually agreeable to the Parties;
 - iii. The realignment is approved through applicable National Environmental Policy Act processes, if any;
 - iv. The realignment complies with applicable Federal Transit Administration processes, if any;
 - v. The realignment is approved by other interested parties, if any, specifically including Utah County and the Utah Department of Transportation to the extent that the realignment implicates their property interests, facilities and/or jurisdiction; and
 - vi. The parties agree on a source of funding for the realignment project.
- 18. **Future Utilities**. Provo may grant additional franchises and permits in the future for utility facilities under or over the Exclusive BRT Lanes, so long as such facilities do not unreasonably interfere with operation of the BRT System. Provo shall notify UTA of any requests for permits under or over the Exclusive BRT Lanes, and UTA shall have two (2) weeks to review and object to such requests or applications prior to work commencing. Provo shall notify UTA of any applications for street cut permits within the Exclusive BRT Lanes, but shall have the right to approve such applications in its reasonable discretion. The parties shall cooperate to minimize disruption to BRT service caused by the granting of any new franchises or permits for new utility facilities, and by the granting of street cut permits within the Exclusive BRT Lanes.
- 19. **Fiber Infrastructure**. Provo shall grant to UTA, at no cost, the right to use Provo street rights of way and public utility easements along the BRT System alignment for such fiber

optic communication facilities as are necessary for UTA to install communications infrastructure such as duct banks, conduit, and fiber as necessary for the efficient operation of the BRT System. The precise location of the fiber infrastructure will be determined through the final design process, and may make use of existing duct banks and conduit where such facilities are available.

- 20. **Condition Precedent.** (a) This Agreement is executed with the anticipation UTA will be awarded a Capital Improvements grant from FTA in 2016, in an amount sufficient, together with local funding, to complete the Project. This Agreement is expressly conditioned on UTA executing a Capital Improvements Grant Agreement with FTA. If UTA and FTA do not execute a Capital Improvements Grant Agreement, this Agreement shall be of no further force or effect.
 - (b) This Agreement is further executed with the anticipation that Provo and UTA will come to agreement on the final design during the design process described in Section 6. If Provo and UTA cannot agree upon the details of the final design, this Agreement shall be of no further force or effect.
 - (c) This Agreement is also subject to and conditioned upon the execution of the Interlocal Agreement described in Section 5. If the Interlocal Agreement is not fully executed by all the parties listed in Section 5, this Agreement shall be of no further force or effect.
- 21. **Indemnification.** UTA shall use the Leased Premises at its own risk and agrees to indemnify, defend, and hold harmless Provo and Provo's officers, officials, employees, and representatives for, from, and against all liabilities, claims, damages, losses, suits, judgments, causes of action and costs (including court costs and attorneys' fees,), of any nature, kind or description ("Losses") resulting from: (a) negligence or fault on the part of UTA or any employees, officials, agents or contractors of UTA related to the design, construction, maintenance or other work performed by or on behalf of UTA on the BRT System within the Leased Premises; and (b) negligence or fault on the part of UTA or any employees, officials, agents or contractors of UTA in the use or operation of the BRT System within the Leased Premises, or (c) UTA's breach of any provision of this Agreement. In the event any Losses are caused by the joint or concurrent negligence of UTA and Provo, UTA shall indemnify Provo only in proportion to UTA's own negligence and/or fault.
- 22. **Amendment.** This Agreement may be modified or amended only by a written instrument executed by the parties and/or all their successors, as applicable.
- 23. **Governing Law.** This Agreement shall be construed, interpreted and applied in accordance with the laws of the State of Utah

- 24. **Non-Waiver.** No covenant or condition of this Agreement may be waived by any party, unless done so in writing. Forbearance or indulgence by any party in any regard whatsoever shall not constitute a waiver of the covenants or conditions to be performed by the other.
- 25. **Severability.** If any provision of this Agreement is held to be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.
- 26. **Binding Agreement.** This Agreement is binding upon all of the assigns, grantees and successors in interest to each of the parties, and shall remain in full force and effect until amended as provided herein.
- 27. **No Third Party Beneficiaries.** The parties intend that there be no third party beneficiaries to this Agreement.
- 28. **Further Assurances.** The parties shall execute such other documents and take such other actions as may be reasonably necessary or proper to achieve the intent and purposes hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

UTAH TRANSIT AUTHORITY

PROVO CITY

| By: | By: |
|--|-----------------------------------|
| Jerry Benson, Interim President and CEO | John R. Curtis, Mayor |
| By: | ATTEST AND COUNTERSIGN: |
| W. Steven Meyer, Chief Development Officer | By: |
| | Provo City Recorder |
| APPROVED AS TO FORM AND LEGALITY: | APPROVED AS TO FORM AND LEGALITY: |
| UTA Legal Counsel | |



EXHIBIT A

BRT SYSTEM ALIGNMENT

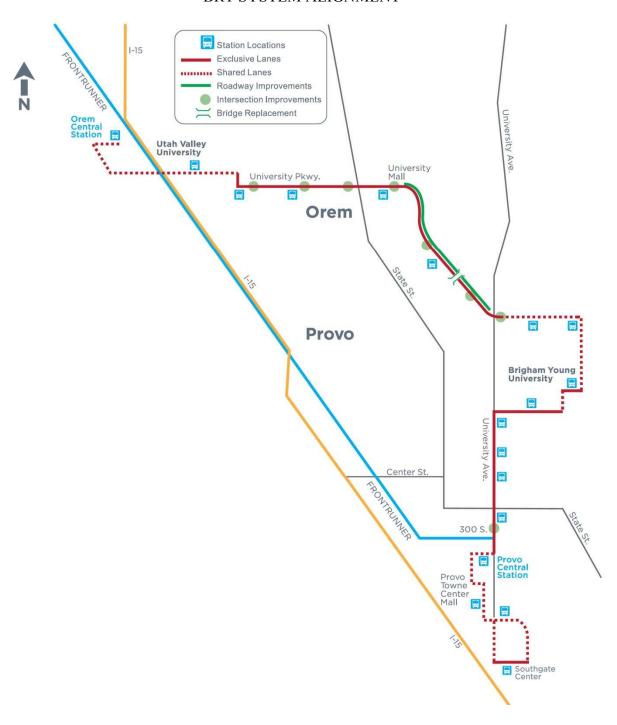


EXHIBIT B

PRIORITY ENHANCEMENTS

- Enhanced pedestrian lighting at key intersections on 700 North
- New roundabout on 900 North to accommodate a proposed transit center at Brigham Young
 University
- Landscaped medians with trees along 900 East

EXHIBIT C

$900\; EAST$ FRONTAGE ROAD DESIGN SHEET



INTERLOCAL COOPERATION AGREEMENT

Between

PROVO CITY, CITY OF OREM, UTAH DEPARTMENT OF TRANSPORTATION (UDOT), UTAH TRANSIT AUTHORITY (UTA) AND THE MOUNTAINLAND ASSOCIATION OF GOVERNMENTS (MAG)

Pertaining To:

| A Pub | olic Transportation Project Known as the Provo-Orem Transp | oortation Improvement Project |
|--------|---|-------------------------------|
| he Par | THIS AGREEMENT is made and entered into this day of ties listed above. | , 2016, by and between |

RECITALS:

WHEREAS, the Utah Interlocal Co-operation Act, Title 11, Chapter 13, Utah Code Annotated (1953), as amended, permits local governmental units including cities, counties and political subdivisions of the State of Utah to make the most efficient use of their powers by enabling them to cooperate with other public entities on the basis of mutual advantage and to exercise joint cooperative action for the benefit of their respective citizens; and

WHEREAS, in order to facilitate a more efficient system of public transportation, the Parties to this Agreement desire to implement a Transportation Improvement Project (the "Project") including a Bus Rapid Transit (BRT) project and numerous street improvements in Provo and Orem; and

WHEREAS, the budget for the Project is approximately \$180 million; and

WHEREAS, the Parties anticipate that UTA will enter into separate lease agreements (the "Lease Agreements") with both Provo and Orem regarding the use of each city's streets for the Project; and

WHEREAS, the Parties further anticipate that the Lease Agreements will address many of the issues that are critical to the implementation of the Project including but not limited to BRT lane alignment, landscaping, station location, light rail compatibility, parking agreements, compatibility of traffic signal equipment, ownership of improvements, maintenance responsibilities, traffic signal prioritization, utility relocations, alignment of intersections and other issues that are specifically addressed in the Lease Agreements; and

WHEREAS, there are several issues regarding the Project that cannot be conveniently and efficiently addressed in the Lease Agreements because they require the participation, cooperation, input and agreement of all of the Parties to this Agreement; and

WHEREAS, the Parties desire to enter into this Interlocal Agreement to create an Executive Committee and a Project Management Committee consisting of representatives from each of the Parties to

make decisions regarding issues that are not addressed in the Lease Agreements and that fall within the scope of this Agreement and to work cooperatively as partners to create the highest quality project possible within the projected budget; and

WHEREAS, the creation of the Executive Committee and the Project Management Committee hereunder and the decision-making authority granted to such committees as provided in this Agreement will promote transparency and stakeholder engagement in the Project and will ensure that all Parties feel and act as legitimate members of the Project team as well as assist in managing the various Project components in a cooperative manner; and

WHEREAS, Utah County has already entered into an interlocal agreement with UTA and their obligations are defined therein; and

WHEREAS, each Party hereto has complied with the requirements of Utah Code Section 11-13-202.5 applicable to that Party pertaining to the approval of this Interlocal Agreement; and

NOW THEREFORE, in consideration of the covenants and agreements contained herein and other valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

COVENANTS

- 1. **Purpose**. This Agreement has been entered into by the parties to this Agreement (the "Parties") for the purpose of creating a process for resolving issues related to the Project that are not addressed in the Lease Agreements and to outline the respective rights and responsibilities of the Parties in the design and construction of the Project.
- 2. **Executive Committee**. There is hereby created under this Agreement an Executive Committee.
- 2.1. **Membership**. The Executive Committee shall consist of the following members:
 - 2.1.2. UDOT Region Director or designee
 - 2.1.2. UTA CEO or designee
 - 2.1.3. Orem City Manager or designee
 - 2.1.4. Provo Mayor or designee
 - 2.1.5. MAG CEO or designee
 - 2.1.6. Utah County Commission Chair or designee
- 2.2. **Executive Committee Authority and Responsibilities**. Subject to the limitations contained in Section 4, the Executive Committee shall have the exclusive authority and responsibility to:
 - 2.2.1. Establish Project goals, objectives and priorities.
 - 2.2.2. Approve the final design standards for stations along the BRT route with the intent of creating continuity in station design in both Provo and Orem.
 - 2.2.3. Approve all change orders for the Project that exceed \$200,000.
 - 2.2.4. Approve the release and use of any portion of the Project contingency fund. UTA will set aside an amount equal to approximately 10-15% of the projected Project cost into a contingency fund to be used for unexpected Project expenses. No funds will be released from the contingency fund without the unanimous approval of the Executive Committee. Release of contingency funds will also be subject to obtaining any required Federal Transit Administration ("FTA") approvals.

- 2.2.5. Approve any significant changes to the Project Baseline and the Project scope, schedule and/or budget. The Project budget will not exceed \$180 million, including federal, state and local funds unless agreed to by all members of the Executive Committee and a funding source is secured for any recommended increase.
- 2.2.6. Make all decisions related to Enhancements. Enhancements beyond the Project Baseline must be:
 - 2.2.6.1. Approved by the Executive Committee before programming.
 - 2.2.6.2. Funded by cost savings/value engineering to the extent possible.
 - 2.2.6.3. Funded by the requesting entity if there is insufficient Project budget.
 - 2.2.6.4. Approved by the FTA as compliant with the approved environmental document.
- 2.3. **Executive Committee Meetings**. The Executive Committee shall meet at least monthly during the Project timeline or at additional times as requested by Committee members or by UTA's project manager.
- 2.4. **Executive Committee Decisions**. Executive Committee decision-making will be on a consensus basis. In the event consensus cannot be achieved and except as otherwise provided herein, decisions will be made based on a majority vote. The Executive Committee will vote using a three-member group system with the three groups assigned as follows: Group 1- State (UDOT and UTA), Group 2 County (Utah County and MAG), and Group 3 City (Provo and Orem). Each of the three groups shall have one vote. In the event that the two members of a group cannot agree on a vote to be made, that group's vote shall be treated as if no vote has been cast. In situations where a unanimous vote of the Executive Committee is required, failure of the members of a group to agree on a vote to be cast shall be considered failure to attain a unanimous vote of the Executive Committee.
- 3. **Project Management Committee**. There is hereby created under this Agreement a Project Management Committee
- 3.1. **Membership**. The Project Management Committee shall consist of the following members:
 - 3.1.1. UDOT Region Project Manager or designee
 - 3.1.2. UTA Project Manager or designee
 - 3.1.3. Orem City Engineer or designee
 - 3.1.4. Provo City Engineer or designee
 - 3.1.5. MAG Sr. Planner or designee
 - 3.1.6. Utah County Engineer or designee
- **3.2. Project Management Committee Authority and Responsibilities**. Subject to the limitations contained in Section 4, the Project Management Committee shall have the authority and responsibility to:
 - 3.2.1. Manage the Project work on a daily/weekly basis.
 - 3.2.2. Provide daily/weekly direction to the Project team.
 - 3.2.3. Resolve problems in a timely manner and at the Project level.
 - 3.2.4. Provide oversight and accountability in relation to Project objectives and goals.

The Project Management Committee shall not have authority to make any decision or take any action that is inconsistent with a decision of the Executive Committee.

- 3.3. **Project Management Committee Meetings**. The Project Management Committee shall meet weekly.
- 3.4. **Project Management Committee Decisions**. Project Management Committee decision-making will be on a consensus basis. Every effort will be made to make decisions and resolve problems at the Project Management Committee level. However, issues that cannot be resolved by the Project Management

Committee by consensus within two weeks after initial discussion will be forwarded to the Executive Committee for decision.

- 4. No Authority to Act Contrary to a Lease Agreement Without Consent. Neither the Executive Committee nor the Project Management Committee shall have the authority to make any decision or take any action that (1) is inconsistent with the authority provided in, or a decision made pursuant to authority provided in a Lease Agreement (unless written consent of both parties to the relevant Lease Agreement is given) or (2) would have the effect of modifying any commitment, obligation, right, or responsibility included in a Lease Agreement (unless written consent of both parties to the relevant Lease Agreement is given).
- 5. **Project Baseline**. With respect to the alignment of the Project, location of Exclusive BRT Lanes and BRT Stations, location of barrier curbs, retaining walls, curb and gutter, and right of way width, "Project Baseline" is defined by the Finding of No Significant Impact ("FONSI") issued by FTA on March 27, 2015. With respect to the UTA Facilities (as defined in the Lease Agreements), the "Project Baseline" additionally means the work necessary to allow the BRT System to function as required by applicable UTA and federal requirements, including those set forth in the Capital Improvements Grant Agreement and in the FONSI. With respect to the Orem and Provo Street Improvements, the "Project Baseline" additionally means the work necessary to meet applicable Orem and Provo specifications. As of the execution of this Interlocal Agreement, the Project Baseline is as depicted on the preliminary design drawings dated October 17, 2014, which are included as an Exhibit to the FONSI. The Parties acknowledge that the final design and finish will be further refined and agreed upon through the final design process. The "final" Project Baseline will be as depicted on the final design documents. All elements of the final design documents shall be considered to be part of the Project Baseline unless otherwise clearly noted on the final design documents.
- 5.1. **Additions to Project Baseline**. In addition to the elements described above, the Project Baseline will also include the following items:
 - 5.1.1. All elements that are required to be incorporated into the final design documents pursuant to or in conformance with the guidelines, principles and requirements of Section 6 of the Lease Agreement between Provo and UTA.
 - 5.1.2. All elements that are required to be incorporated into the final design documents pursuant to or in conformance with the guidelines, principles and requirements of Section 6 of the Lease Agreement between Orem and UTA.
- 6. **Effective Date**. This Agreement shall become effective and shall enter into force within the meaning of the Interlocal Cooperation Act following approval of this Agreement by the governing body of each of the Parties (where applicable), the approval as to form by an authorized attorney of each Party, and the execution of this Agreement by an authorized representative of each of the Parties.
- 7. **Term**. This Agreement shall remain in effect until completion of the Project and the allocation and expenditure of all amounts in the Project contingency fund. The Executive Committee may elect to extend this Interlocal Agreement for an additional period of time agreed upon by unanimous vote of the Executive Committee to resolve any additional issues related to the Project that may arise after completion of the Project

and expenditure of the contingency fund. However, in no event shall this Interlocal Agreement remain in effect for a period greater than three years from the completion of the Project, and if not earlier terminated as provided herein, this Interlocal Agreement shall terminate three years after completion of the Project.

- 8. **Agreement Subject to Execution of Lease Agreements**. This Interlocal Agreement is subject to and conditioned upon the execution of a Lease Agreement between Provo and UTA and upon the execution of a Lease Agreement between Orem and UTA.
- 9. **No Separate Legal Entity**. The Parties do not contemplate nor intend to establish a separate legal entity under the terms of this Agreement. The Committees described in this Agreement are for convenience purposes only in the furtherance of the goals stated herein and shall not be construed to be separate bodies politic or political subdivisions of the State of Utah. The obligations of the Parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the actual signatory Parties to this Agreement. This Agreement is not intended to nor shall it be construed to benefit any third party.
- 10. **Approval as to Form**. This Agreement has been reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Party.
- 11. **Filing of Interlocal Cooperation Agreement**. Executed copies of this Agreement shall be placed on file with the official keeper of records of each Party and shall remain on file for public inspection during the term of this Agreement.
- 12. **Amendments**. This Agreement may not be amended, changed, modified or altered in any way except by an instrument in writing which shall be approved by each of the Parties in accordance with the procedure outlined in Section 6 of this Agreement.
- 13. **Severability**. If any term or provision of this Agreement or the application thereof shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to circumstances other than those with respect to which it is invalid or unenforceable, shall not be affected thereby, and shall be enforced to the extent permitted by law. To the extent permitted by applicable law, the Parties hereby waive any provision of law, which would render any of the terms of this Agreement unenforceable.
- 14. **Governing Law**. All questions with respect to the construction of this Agreement, and the rights and liability of the Parties hereto, shall be governed by the laws of the State of Utah.
- 15. **Counterparts**. This Agreement may be executed in counterparts by the Parties.

| | DATED 41 | 1C | 2017 |
|-------------------|--------------------|-------------------------|---|
| | DATED this | day of | , 2016. |
| | | | MENT OF TRANSPORTATION as, Executive Director |
| ATTEST: | | | |
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| REVIEWED A | AS TO FORM AND COM | PATIBILITY WITH APPLICA | BLE LAW: |
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| | DATED this | day of | , 2016. |
| | | UTAH TRANSIT | AUTHORITY |
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REVIEWED AS TO FORM AND COMPATIBILITY WITH APPLICABLE LAW:

| By: | | | |
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| | DATED 41:- | dov. of | 2017 |
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| | | PROVO CITY | |
| ATTEST: | | | |
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| | | CITY OF OREM | |
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| By: | | | |

Provo Orem Transportation Improvement Project

Project Governance and Documents

The BRT Project

- Analysis began in 1999 in advance of the 2002 Winter Olympics
- Alternatives study in 2005 identified bus rapid transit as the best alternative
- Environmental Assessment from 2007-2011
- Identified the Locally Preferred Alternative Route (LPA)
- Design is currently underway

Funding for the Projects

- \$75 million Federal Transit Administration grant
- \$65 million local cash match
 - Funded by Utah County
 - Pledges existing transportation sales tax dollars
 - Will be fully repaid to the County by UTA after
 12 years (principle and interest) from the ¼%
 sales tax for transit
- \$10 million match in value from lease agreements
- \$40 million from UDOT for University Parkway

Provo City Policy on BRT Project

- Early resolution supporting BRT project in the Environmental Assessment
- Revisited the project in 2013-2014
- Council commissioned a second study to validate the route alignment
- Joint resolution of the Mayor and Council supported the LPA route in 2014

2014 Joint Resolution

- Joint Resolution asked for consideration of project enhancements to address:
 - Business and residential access
 - Pedestrian safety
 - Bicycle safety
 - Parking
 - Noise abatement
 - School security
 - Landscaping
 - Other factors

The Agreements Lease Agreement Interlocal Agreement

Lease Agreement

- 50 year lease of city property and right of way for the project
- Two additions to project baseline
 - 900 East frontage road from Birch to Fir
 - Pedestrian safety improvements on 700 North and near MTC
- Three priority enhancement projects
 - Landscaped median on 900 East
 - Pedestrian lighting on 700 North
 - Street improvements on 900 North for BYU transit stations/center

Lease Agreement

- Establishes what happens if UTA stops operating
- City waives development fees
- Work on signal coordination with UDOT
- Sets up maintenance responsibilities between City and UTA
- Standard language required by FTA

Interlocal Agreement

- Establishes governance and management of the overall project
 - UTA portion
 - UDOT portion
- Executive Committee
 - Provo Mayor
 - Orem City Manager
 - UDOT Region Director
 - Utah County Commission Chair
 - MAG Executive Director
 - UTA General Manager

Interlocal Agreement

- Executive Committee Roles
 - Controls project budget
 - Reviews and approves change orders
 - Station design standards
 - Approves release of contingency and funding of priority enhancements identifies in lease agreements
- Management Committee
 - Technical experts from Provo, Orem, UDOT, and UTA

Interlocal Agreement

- Governance Model is New
 - Meaningful seat at the table for cities, county and UDOT
 - BRT becomes "our project," not just UTA's project
 - Big step forward for future UTA partnership projects (including light rail and/or more BRT lines in Utah County)
 - Can't overemphasize the nature of this change for UTA and the region's cities

Criteria Established by Resolution

- Route Alignment
 - Agreements confirm the LPA route
- Enhancements in Baseline
 - 900 East Frontage Road
 - Birch to Fir allowing access to residents along 900
 East without backing across multiuse path
 - Ingress and egress, bike and pedestrian safety
 - 700 North Pedestrian Improvements
 - Pedestrian actuated crossing at 200 East
 - New signalized intersection at 400 East
 - Make the corridor safer for bikes and pedestrians

Criteria Established by Resolution

- Enhancements in Baseline
 - University Parkway Pedestrian Safety
 - Stations on Parkway near MTC are side running
 - Need to safely connect BYU to north station and MTC to south station
 - Pedestrian actuated signal moving people north and south between BYU and MTC and the stations
 - Enhance safety for bikes, pedestrians, employees and BRT riders

Criteria Established by Resolution

Priority Enhancements

- Parking
 - Detailed on-street parking analysis on University Ave.
 - No other significant on-street parking impacts
- Noise
 - Primary concern in residential areas
 - Anticipate much quieter buses than UTA's current fleet
 - Eliminated the station on 900 East
- School Security
 - No stations near any public schools
- Landscaping
 - Included landscaping replacement as possible on University Ave and University Parkway
 - Priority enhancement for median on 900 East
 - BYU Transit Center may include new landscaping south of campus

What Happens Without the Agreements?

Changes to Project

- No dedicated lanes in 700 North
- Station locations on the side; require more private property acquisitions
- Would need to move dedicated lanes to Orem
- Would reduce the local match and require project cuts
- Would slow the "rapid" part of BRT

Loss to Provo

- Lose negotiated improvements (900 East, 700 North, University Parkway)
- Lose our seat at the table
- Make the project less viable and more expensive per rider mile

Administration Recommendation

- Approve the lease agreement as presented
- Approve the interlocal agreement as presented
- Met and exceeded the criteria established in Joint Resolution









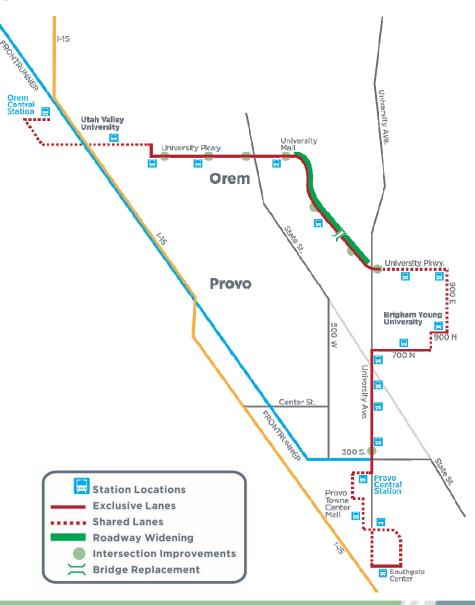






PROJECT OVERVIEW

- 10.5 miles
- 18 stops
- 51 percent exclusive lanes
- 1.5 miles of roadway widening
- 2 bridge replacements
- Pedestrian-friendly crossings
- Bike lanes and trail improvements



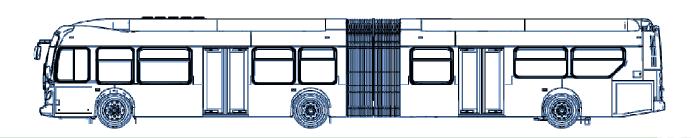
BUS RAPID TRANSIT



- Off-board fare collection
- Stops with amenities
- Limited stops

- Dedicated lanes
- Traffic signal priority
- 6 minute peak frequency





CENTER STATION CONCEPT



Center Station at University Avenue and Center Street in Provo

SIDE STATION CONCEPT

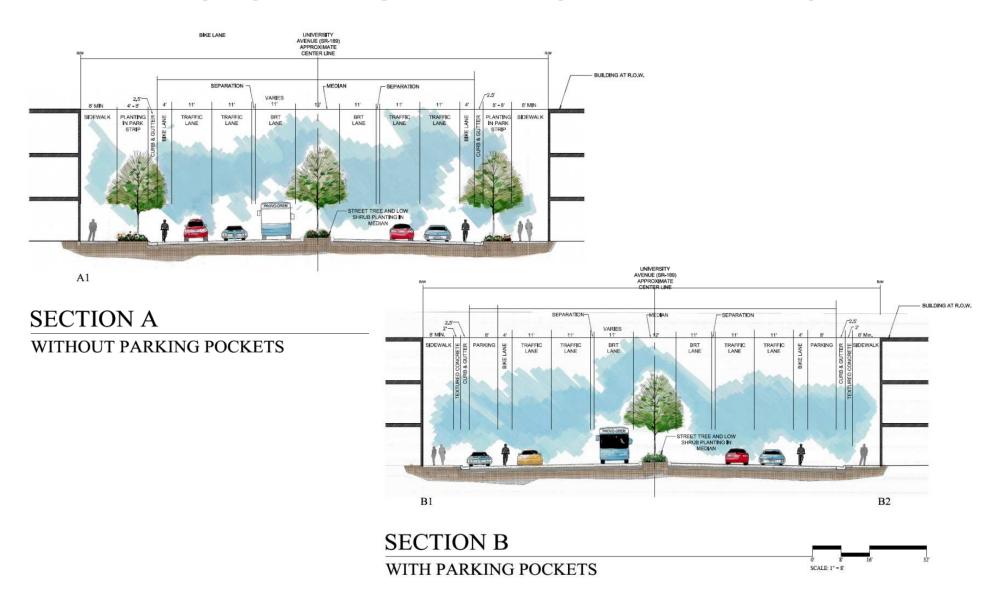


Side Station at UVU

DESIGN – UNIVERSITY AVENUE



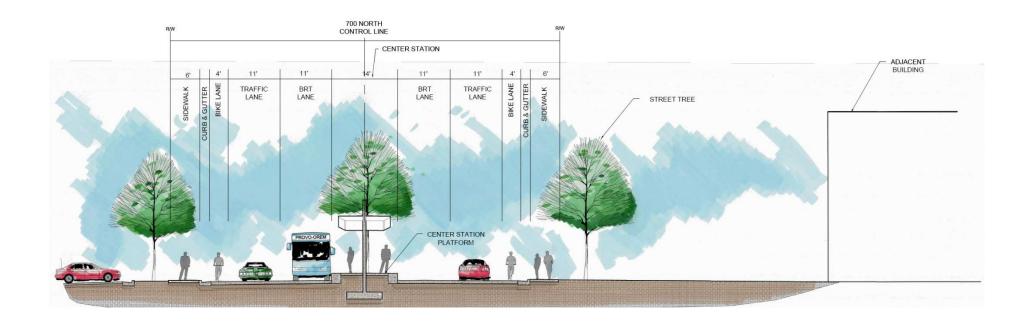
DESIGN – UNIVERSITY AVENUE



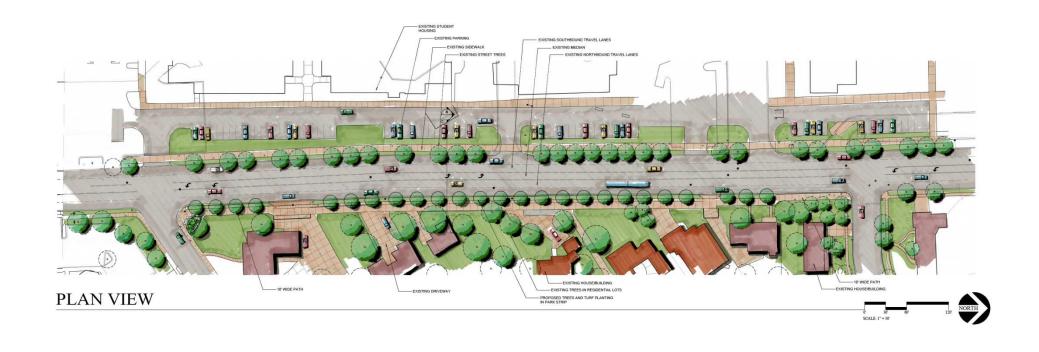
DESIGN - 700 NORTH



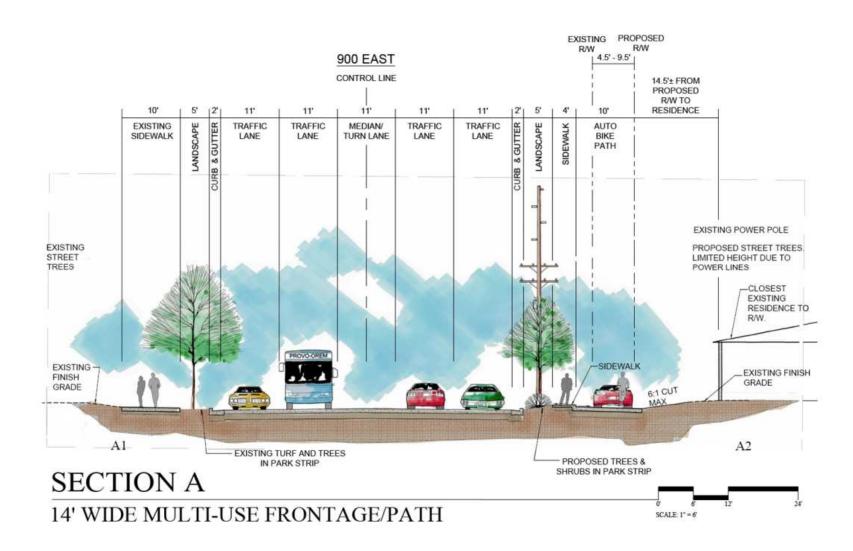
DESIGN - 700 NORTH



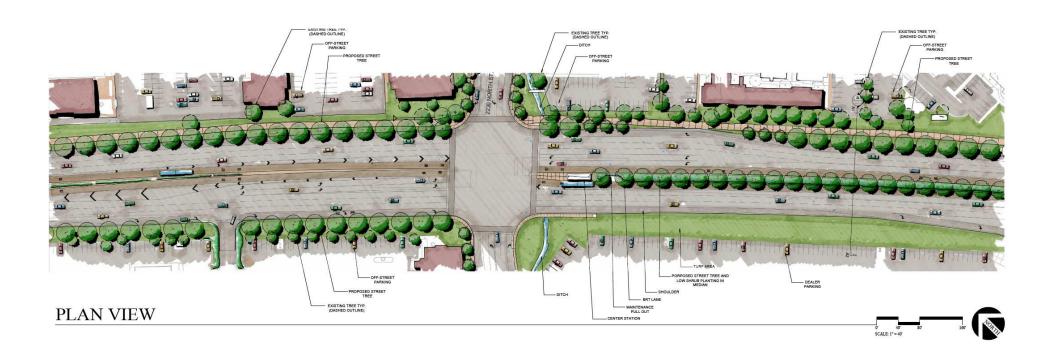
DESIGN – 900 EAST



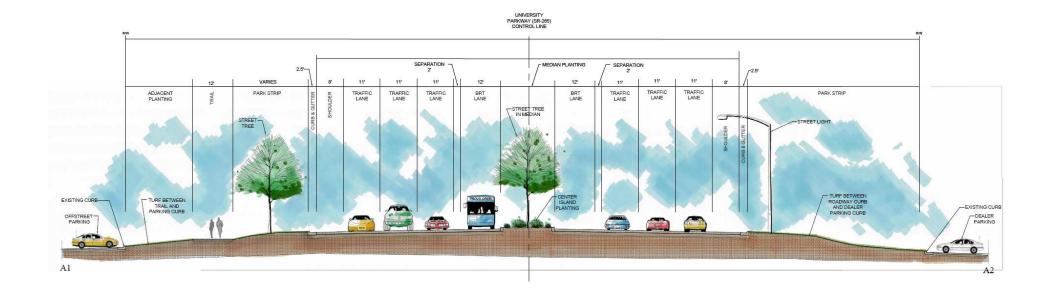
DESIGN – 900 EAST



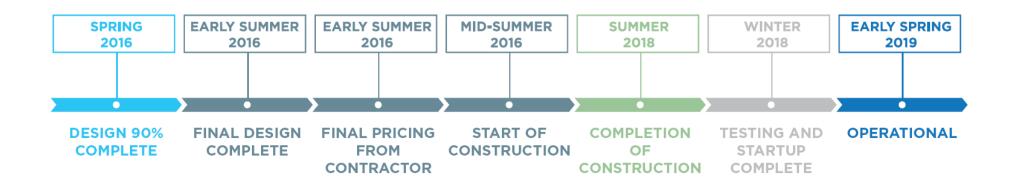
DESIGN – UNIVERSITY PARKWAY



DESIGN – UNIVERSITY PARKWAY



KEY MILESTONES



PUBLIC OPINION OF PROJECT BENEFITS

Benefits that resonate with citizens include:

- 92% believe project will provide transportation for students & people without cars
- 84% believe project will increase transportation choices for local residents
- 79% believe BRT will provide reliable transit service, shorter transit wait times & a convenient connection to FrontRunner
- 77% believe transit service is necessary to support a younger & growing population
- 62% believe BRT will take cars off the road & help reduce traffic congestion

Telephone survey of 405 Provo & Orem citizens, <u>+</u> 4.86% margin of error (October 2015)

RULES OF THE ROAD

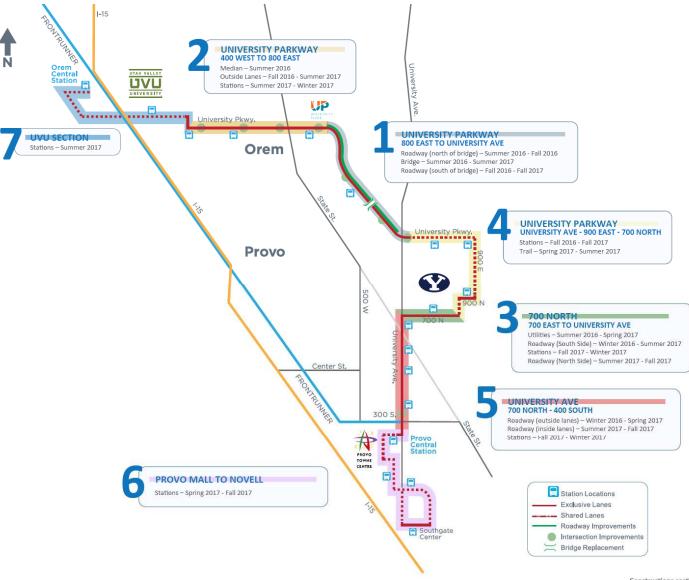
- Maintain existing traffic lanes
- Ensure safe and efficient access
- Minimize impacts
- Develop mutually-beneficial solutions







CONSTRUCTION PHASING



Constructions sections overlap. Dates are tentative and subject to change.

COMMUNICATIONS PLAN

| Audiences | Strategies | Tactics |
|------------------------------------|---|---|
| Local Elected Officials & Staff | Communicate project schedule, impacts & progress Establish & maintain positive working relationships | Regular update meetings/presentations Regular project update emails Dedicated project team member Communicate business promotion plan Project information materials |
| Businesses | Communicate project schedule, impacts & progress Establish & maintain positive working relationships | Dedicated project team member (243 personal contacts to date plus in-depth meetings & business presentations) Business promotion plan Community Advisory Committee meetings Weekly construction update emails Project hotline Project overview fact sheet & map Project website |
| Orem & Provo Residents | Communicate project benefits & vision Communicate project schedule, impacts & progress | Dedicated project team member Weekly construction update emails Project hotline Project overview fact sheet & map Project website Social media |
| Media | Communicate project benefits & vision Communicate project schedule, impacts & progress | Project overview fact sheet & map Project website Milestone events Social media News releases, media pitches |

INTERLOCAL AGREEMENT



PUBLIC WAY LEASE AGREEMENT

This Public Way Lease Agreement ("Agreement") is entered into as of _______, 2016, by and between Provo City ("Provo"), a municipal corporation, and Utah Transit Authority ("UTA"), a public transit district.

RECITALS

- A. Provo owns and has jurisdiction over a network of streets within its municipal boundaries.
- B. UTA is engaged in a project ("Project") to design, construct, and operate a Bus Rapid Transit System that will follow a route through Provo and Orem (the "BRT System"), and which will serve the residents of Provo and Orem.
- C. The parties desire to enter into this Agreement to (i) provide UTA with the right to construct and operate the BRT System on Provo streets, and (ii) to define the parties' roles and responsibilities with respect to the design and construction of the Project, and with respect to the operation and maintenance of the completed BRT System.

AGREEMENT

In consideration of the promises contained herein, the parties agree as follows:

1. **Definitions.**

"Exclusive BRT Lanes" means the sections of roadway to be constructed on Provo Streets as part of the Project that will be designated for exclusive use by UTA buses. The Exclusive BRT Lanes do not include the underlying real property.

"Provo Streets" means those public streets within Provo's municipal boundaries that are not designated as State highways under Utah Code Ann. Title 72, Chapter 4.

"Provo Street Improvements" means the land, roadway materials, curb, gutter, sidewalks and other improvements to be acquired, installed, or constructed on Provo Streets as part of the Project, and which are not considered UTA Facilities. The Provo Street Improvements include, but are not limited to, relocated sidewalks, widened roadways, and traffic control devices.

- "UTA Facilities" means the BRT Stations and appurtenant improvements such as canopies, benches, and ticket vending machines, the Exclusive BRT Lanes, and communications infrastructure serving the BRT Stations.
- 2. **Alignment.** The BRT System alignment is depicted on Exhibit A hereto, and includes the following Provo Streets: University Parkway (between S.R. 189 and 900 East), 900

East (between University Parkway and 900 North), 900 North (between 900 East and 700 East), 700 East (between 900 North and 700 North), 700 North (between 700 East and University Avenue), 750 South (between 100 West and Freedom Boulevard), Freedom Boulevard (between 750 South and Towne Centre Boulevard); Towne Center Boulevard (between Freedom Boulevard and East Bay Boulevard); East Bay Boulevard (between Towne Centre Boulevard and 1860 South); 100 West (between 920 South and 750 South), 920 South (between University Avenue and Freedom Boulevard); and 1860 South (between East Bay Boulevard and University Avenue).

- 3. Lease of Provo Streets for UTA Facilities. (a) Provo leases to UTA the following portions of Provo Streets (collectively referred to as the "Leased Premises"):
 - i. Two strips, each approximately 11 feet wide, within the roadway of 900 North Street, between 900 East and East Campus Drive, for use as Exclusive BRT Lanes.
 - ii. A strip in the center of 700 North Street, approximately 22 feet wide, from 700 East to University Avenue, for use as Exclusive BRT Lanes.
 - iii. An area roughly 14 by 128 feet on the north side of 1860 South, to the east of Novell Place, for use as a BRT Station.
 - iv. A strip along the north side of 1860 South Street, approximately 11 feet wide, for use as an Exclusive BRT Lane
 - v. An area roughly 14 by 128 feet on the south side of East Bay Boulevard, to the west of 180 East Street, for use as a BRT Station.
 - vi. An area roughly 14 by 104 feet in the center of 700 North, to the east of 400 East, for use as a BRT Station.
 - vii. Two areas, each roughly 14 by 128 feet, along the outsides of 900 North Street, to the east of East Campus Drive, for use as BRT Stations.
 - viii. Two areas, each roughly 14 by 128 feet, along the outsides of University Parkway, to the west of 900 East, for use as BRT Stations.
 - ix. Two areas, each roughly 14 by 128 feet, along the outsides of University Parkway, to the east of Canyon Road, for use as BRT Stations.
 - x. An area roughly 14 by 128 feet, along the north side of Towne Center Boulevard, just north of Towne Center Drive, for use as a BRT Station.
 - (b) The general descriptions of the areas leased to UTA for UTA Facilities provided above are based on the preliminary design drawings dated October 17, 2014. The final,

precise locations and boundaries of the areas leased to UTA for UTA Facilities will be as shown on the final as-built drawings, complete copies of which shall be furnished by UTA to Provo City. Following completion of the Project, the parties will execute an addendum to this Agreement adopting the as-built drawings as the documents defining the leased areas.

- (c) As of the date of this Agreement, some of the areas leased to UTA for UTA facilities, as described above, are not owned by Provo. UTA shall, as part of the Project, acquire those areas through voluntary transactions, or, if necessary, request that the Utah Department of Transportation acquire those areas through the use of eminent domain, as provided in Utah Code Ann. § 17B-2a-820. Following the completion of the Project, UTA will convey and dedicate those areas to Provo, in a manner to be determined by Provo. Upon such conveyance or dedication to Provo, the leases described above will take effect as to those areas. Notwithstanding any language to the contrary in this Agreement, if any portion of the property described in 3(a) is owned by BYU, it will not be subject to the acquisition or conveyance requirements in this paragraph, nor will it be considered part of the Leased Premises.
- (d) The leases described above are valued at \$1,726,000 (inclusive of rights-of-way to be purchased by UTA from private property owners and transferred to Provo for inclusion under this Agreement). Provo is donating the rights set forth in this Agreement to UTA at no cost, as an in-kind contribution to the Project.
- (e) Notwithstanding the use of the term "lease" in this Agreement, the parties do not intend that UTA be deemed a "tenant" pursuant to Utah Code Ann. § 78B-6-801 *et seq.* Rather, the parties intend that the parties' rights and remedies under this Agreement be determined solely by the express terms of this Agreement.
- 4. **Term.** (a) The rights set forth above are for an initial term of fifty (50) years from the date of this Agreement. One year prior to the end of the initial term, UTA shall invite Provo to propose amendments to the terms of this Agreement to address changed circumstances. So long as the parties are able to agree to those proposed amendments, or agree in writing that no amendments are warranted, this Agreement will renew for an additional term of twenty-five (25) years.
 - (b) Notwithstanding subsection 4(a), Provo may terminate this Agreement prior to the expiration of the then-current term if (i) UTA permanently terminates or abandons transit service on the Leased Premises, (ii) UTA does not provide transit service on the Leased Premises for a period of one year, except when due to a force majeure event, in which case such one year period shall be tolled for the duration of the force majeure event and any time necessary to reconstruct UTA Facilities, so long as UTA is engaged in good faith efforts to reconstruct the UTA Facilities, or (iii) UTA commits a material,

continuing breach of this Agreement that subjects Provo to irreparable harm for which monetary damages are inadequate compensation.

- (c) Prior to terminating the Agreement for one of the reasons stated in subsection 4(b), Provo shall provide UTA with written notice of its intent to terminate and its basis for doing so. If UTA does not recommence transit service or cure the breach, as applicable, within six (6) months from the date of Provo's notice, the rights granted in this Agreement will terminate and UTA shall, upon Provo's request, remove all UTA Facilities within six (6) months of said termination.
- (d) Provo may terminate this Agreement as to any portion of the Leased Premises on which UTA either (i) permanently terminates or abandons transit service, or (ii) does not provide transit service for one year, except when due to a force majeure event, in which case such one year period shall be tolled for the duration of the force majeure event and any time necessary to reconstruct UTA Facilities, so long as UTA is engaged in good faith efforts to reconstruct the UTA Facilities. If Provo desires to terminate this Agreement as to any portion of the Leased Premises, it shall provide the notice described in paragraph 4(c), and UTA will have six (6) months to recommence transit service and avoid termination, as described in paragraph 4(c).
- 5. **Project Management.** The Parties contemplate that they will also be parties to a proposed Interlocal Cooperation Agreement among Provo City, City of Orem, Utah Department of Transportation, Utah Transit Authority, and the Mountainland Association of Governments pertaining to A Public Transportation Project Known as the Provo-Orem Transportation Improvement Project (the "Interlocal Agreement"). That Interlocal Agreement will create a Project Management Committee and an Executive Committee. The Parties will be represented on both Committees, which shall oversee and manage the Project as described in the Interlocal Agreement.
- 6. **Design.** With participation by the Provo City Engineer, UTA has selected and engaged the engineering firm AECOM to design the BRT System. The Provo Street Improvements shall be designed in accordance with applicable Provo specifications. Throughout the design process, UTA shall cause the design firm to provide Provo with the opportunity of reviewing, commenting on, and approving all design submittals, including the preliminary design documents and the final design documents. Provo may provide comments to any design submittals and UTA will direct the design firm to incorporate changes into the design submittals. To the greatest extent possible, the parties desire to ensure that the BRT System will not have any negative impact on traffic, pedestrian flow and bicycle safety in Provo. In order to further this objective, the parties agree that the design and construction of the BRT System shall comply with the following guidelines and principles:

- (a) 900 East Frontage Road. The BRT project will construct a frontage road on the east side of 900 East to address safety issues due to the 10' multiuse path along the east side of 900 East, substantially in compliance with the design sheet attached hereto as Exhibit C.
- (b) Pedestrian Safety. The BRT project will construct pedestrian enhanced crossings on 700 North at 200 East and on University Parkway just west of the Missionary Training Center.
- 7. **Construction.** With participation by the Provo City Engineer, UTA has selected and engaged a qualified firm to construct the BRT System. Throughout the construction process, Provo will have continuous access to the Project site to monitor Project construction and to ensure that construction meets applicable City specifications and is performed in accordance with the final design documents.
- 8. **Enhancements.** (a) Provo may request additions to the baseline scope of the Project ("Enhancements"). UTA shall cause the design and/or construction firm to include Enhancements if (i) the party requesting the Enhancement agrees to pay for it, (ii) the Enhancement is not prohibited by a governing State or federal standard, (iii) the Enhancement is within the scope of the Environmental Assessment prepared pursuant to the National Environmental Policy Act ("Act"), or is a Categorical Exclusion under the Act, (iv) the Enhancement does not substantially adversely impact the operation or maintenance of the Project; and (v) the Enhancement will not unreasonably delay or interfere with the Project schedule.
 - Baseline Scope Defined. With respect to the alignment of the BRT System, (b) location of Exclusive BRT Lanes and BRT Stations, location of barrier curbs, retaining walls, curb and gutter, and right of way width, "baseline scope" is defined by the Finding of No Significant Impact ("FONSI") issued by FTA on March 27, 2015. With respect to the UTA Facilities, the "baseline scope" additionally means the work necessary to allow the BRT System to function as required by applicable UTA and federal requirements, including those set forth in the Capital Improvements Grant Agreement and in the FONSI. With respect to the Provo Street Improvements, the "baseline scope" additionally means the work necessary to meet applicable City specifications; provided, however, that where Provo Street Improvements are adjacent to existing city roadways or facilities, the new improvements shall be deemed to meet the "baseline scope" if they match the existing roadways or facilities. As of the execution of this Agreement, the baseline scope is as depicted on the preliminary design drawings dated October 17, 2014. The parties acknowledge that the final design, including materials, colors, and aesthetics will be further refined and agreed upon through the final design process. The "final" baseline scope will be as depicted on the final design documents. The final baseline scope shall include all elements that are incorporated into the final design documents

pursuant to or in conformance with the guidelines, principles and requirements of Section 6 of this Agreement. All elements of the final design documents shall be considered to be part of the baseline scope of the Project unless otherwise clearly noted on the final design documents.

- (c) **Priority Enhancements.** The proposed Enhancements listed on Exhibit B ("Priority Enhancements") will be paid for with Project funds only if sufficient Project funds are available to complete them after the baseline scope has been completed. All reasonable efforts will be made by the Parties to find sufficient Project funds to cover these proposed enhancements. If left over Project funds are not sufficient to pay for all of the proposed Enhancements on Exhibit B, the Executive Team created by the Interlocal Agreement described in Section 20(c) shall have the authority to determine which of the Priority Enhancements will be completed. The use of FTA funds to fund the proposed Enhancements on Exhibit B is subject to FTA approval.
- (d) **Enhancement Agreements.** The parties will formalize their agreement regarding any specific enhancement in separate written agreements (each, an "Enhancement Agreement").
- 9. **Permitting.** Provo shall waive all fees typically charged for licenses, applications, plan reviews, building permits, and land use permits. The value of such fees will be determined at the time they would otherwise be imposed. Provo is not required to waive payment for any out-of-pocket costs it incurs in connection with permitting activities. Provo specifically reserves the right to charge street cut fees.
- 10. **Utility Relocations.** Completion of the Project will require the relocation of publicly and privately-owned utility facilities. With respect to private utility facilities located in Provo Streets pursuant to franchise agreements, UTA and Provo may jointly agree that Provo will exercise its rights under the franchise agreements to require the private utility companies to relocate their facilities as required by the Project. However, whether Provo elects to exercise any such franchise rights, shall be in Provo's sole discretion.
- 11. **Ownership of Improvements.** Provo shall own the Provo Street Improvements, and will have no ownership interest in the UTA Facilities.
- 12. **Operations.** UTA shall operate, maintain, and control the BRT System and provide regular service to the general public in accordance with applicable Federal and state law.
- 13. **No Public Forums.** In recognition of the safety concerns associated with potentially crowded station platforms, substantial foot traffic, street traffic and BRT System vehicle traffic, and the resulting need for crowd control and attention to surroundings, the parties

intend that no part of the BRT System, specifically including station platforms, will be considered public forums.

- 14. **Traffic Signal Priority.** As part of the Project, the traffic signal systems along the BRT System alignment will be programmed to give priority to BRT vehicles over cross-traffic. The signal timing will be determined as part of the design process and will be subject to the approval of the parties, with the intent of striking an appropriate balance between BRT System efficiency and other local traffic needs. No party may alter or adjust the signal timing in a way that impacts or changes the priority of BRT vehicles, unless such alterations or adjustments are performed in coordination with the other party.
- 15. **Maintenance.** (a) UTA shall be responsible for all routine and long-term maintenance of the UTA Facilities, except for routine maintenance of, and snow removal from, the Exclusive BRT Lanes. UTA shall be responsible for snow removal at BRT Stations.
 - Provo shall be responsible for all routine and long-term maintenance of the Provo (b) Street Improvements. Provo shall be responsible for routine maintenance of the Exclusive BRT Lanes. UTA shall reimburse Provo for the cost of performing routine maintenance of the Exclusive BRT Lanes on Provo streets. Such reimbursement shall be paid to Provo on an annual basis, upon receipt from Provo of an invoice and an accounting of costs incurred by Provo in performing routine maintenance on the Exclusive BRT Lanes on Provo streets. Routine maintenance of Provo Street Improvements includes snow removal, crack sealing, pothole repair, and maintenance of traffic signals. Provo shall be responsible for snow removal from Provo Streets, including the Exclusive BRT Lanes. UTA, subject to Provo's approval, shall cause the design firm to design the Exclusive BRT Lanes in such a way as to allow Provo to perform snow removal with Provo's standard snow removal equipment and procedures. In all cases, Provo shall have the right to determine both the frequency and scope of any such maintenance activities.
 - (c) Long term maintenance of Provo Streets includes mill and overlay projects, as well as more comprehensive pavement replacement. Any such maintenance will be coordinated between the parties to minimize disruption to the BRT System and other traffic.
 - (d) During the final design process, the parties shall develop a plan for snow removal. That plan must identify areas for storage of removed snow, such that pedestrian, BRT, and automobile traffic is not impeded.
 - (e) To coordinate maintenance responsibilities, the parties shall exchange routine and emergency contact information and keep such information current.

- 16. City Access to Exclusive BRT Lanes. UTA acknowledges the existence of public and private utility facilities under the Exclusive BRT Lanes. Provo reserves the right to enter the Exclusive BRT Lanes as and when reasonably necessary to inspect, maintain, repair, or replace City-owned facilities located on, under, or adjacent to the Exclusive BRT Lanes. To the extent reasonably possible, Provo shall coordinate such work with UTA in advance, in order to ensure safety and to minimize disruption of BRT operations. Proposals to make minor realignments of the Exclusive BRT Lanes will be coordinated between the Parties.
- 17. **Realignment**. (a) UTA will not disapprove of Provo's request to make minor realignments of the BRT lanes if Provo pays for the realignment and the realignment of the lane does not have significant impact to the BRT route or operation.
 - (b) UTA will not disapprove of Provo's request to change the route of the BRT System under the following conditions:
 - i. The legislative body of Provo makes a finding after a public hearing that the new proposed route has a greater public benefit than the then-existing route;
 - ii. The proposed realignment of the BRT System is accomplished by the replacement of any specific portion of the Leased Premises that will no longer be part of the alignment with other property that allows the BRT System to function in a way that is mutually agreeable to the Parties;
 - iii. The realignment is approved through applicable National Environmental Policy Act processes, if any;
 - iv. The realignment complies with applicable Federal Transit Administration processes, if any;
 - v. The realignment is approved by other interested parties, if any, specifically including Utah County and the Utah Department of Transportation to the extent that the realignment implicates their property interests, facilities and/or jurisdiction; and
 - vi. The parties agree on a source of funding for the realignment project.
- 18. **Future Utilities**. Provo may grant additional franchises and permits in the future for utility facilities under or over the Exclusive BRT Lanes, so long as such facilities do not unreasonably interfere with operation of the BRT System. Provo shall notify UTA of any requests for permits under or over the Exclusive BRT Lanes, and UTA shall have two (2) weeks to review and object to such requests or applications prior to work commencing. Provo shall notify UTA of any applications for street cut permits within

the Exclusive BRT Lanes, but shall have the right to approve such applications in its reasonable discretion. The parties shall cooperate to minimize disruption to BRT service caused by the granting of any new franchises or permits for new utility facilities, and by the granting of street cut permits within the Exclusive BRT Lanes.

- 19. **Fiber Infrastructure**. Provo shall grant to UTA, at no cost, the right to use Provo street rights of way and public utility easements along the BRT System alignment for such fiber optic communication facilities as are necessary for UTA to install communications infrastructure such as duct banks, conduit, and fiber as necessary for the efficient operation of the BRT System. The precise location of the fiber infrastructure will be determined through the final design process, and may make use of existing duct banks and conduit where such facilities are available.
- 20. **Condition Precedent.** (a) This Agreement is executed with the anticipation UTA will be awarded a Capital Improvements grant from FTA in 2016, in an amount sufficient, together with local funding, to complete the Project. This Agreement is expressly conditioned on UTA executing a Capital Improvements Grant Agreement with FTA. If UTA and FTA do not execute a Capital Improvements Grant Agreement, this Agreement shall be of no further force or effect.
 - (b) This Agreement is further executed with the anticipation that Provo and UTA will come to agreement on the final design during the design process described in Section 6. If Provo and UTA cannot agree upon the details of the final design, this Agreement shall be of no further force or effect.
 - (c) This Agreement is also subject to and conditioned upon the execution of the Interlocal Agreement described in Section 5. If the Interlocal Agreement is not fully executed by all the parties listed in Section 5, this Agreement shall be of no further force or effect.
- 21. Indemnification. UTA shall use the Leased Premises at its own risk and agrees to indemnify, defend, and hold harmless Provo and Provo's officers, officials, employees, and representatives for, from, and against all liabilities, claims, damages, losses, suits, judgments, causes of action and costs (including court costs and attorneys' fees,), of any nature, kind or description ("Losses") resulting from: (a) negligence or fault on the part of UTA or any employees, officials, agents or contractors of UTA related to the design, construction, maintenance or other work performed by or on behalf of UTA on the BRT System within the Leased Premises; and (b) negligence or fault on the part of UTA or any employees, officials, agents or contractors of UTA in the use or operation of the BRT System within the Leased Premises, or (c) UTA's breach of any provision of this Agreement. In the event any Losses are caused by the joint or concurrent negligence of UTA and Provo, UTA shall indemnify Provo only in proportion to UTA's own negligence and/or fault.

- 22. **Amendment.** This Agreement may be modified or amended only by a written instrument executed by the parties and/or all their successors, as applicable.
- 23. **Governing Law.** This Agreement shall be construed, interpreted and applied in accordance with the laws of the State of Utah
- 24. **Non-Waiver.** No covenant or condition of this Agreement may be waived by any party, unless done so in writing. Forbearance or indulgence by any party in any regard whatsoever shall not constitute a waiver of the covenants or conditions to be performed by the other.
- 25. **Severability.** If any provision of this Agreement is held to be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.
- 26. **Binding Agreement.** This Agreement is binding upon all of the assigns, grantees and successors in interest to each of the parties, and shall remain in full force and effect until amended as provided herein.
- 27. **No Third Party Beneficiaries.** The parties intend that there be no third party beneficiaries to this Agreement.
- 28. **Further Assurances.** The parties shall execute such other documents and take such other actions as may be reasonably necessary or proper to achieve the intent and purposes hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

| UT | AH | TR | 4 N | IST | TA | \mathbf{U}' | ГΗ | O | RI' | ΓY |
|----|----|----|-----|-----|----|---------------|----|---|-----|----|
| | | | | | | | | | | |

PROVO CITY

| By: Jerry Benson, Interim President and CEO | By: John R. Curtis, Mayor |
|--|---------------------------|
| | ATTEST AND COUNTERSIGN: |
| By: | |
| W. Steven Meyer, Chief Development Officer | Ву: |
| | Provo City Recorder |

| APPROVED AS TO FORM AND LEGALIT | APPROVED | AS TO | FORM | AND I | LEGALIT |
|---------------------------------|----------|-------|------|-------|---------|
|---------------------------------|----------|-------|------|-------|---------|

APPROVED AS TO FORM AND LEGALITY:

UTA Legal Counsel

Assistant City Attorney



EXHIBIT A

BRT SYSTEM ALIGNMENT

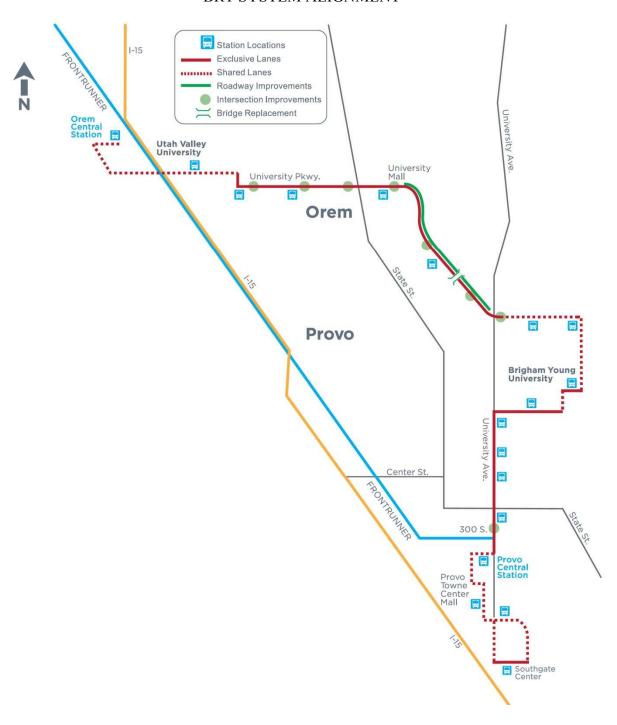


EXHIBIT B

PRIORITY ENHANCEMENTS

- Enhanced pedestrian lighting at key intersections on 700 North
- New roundabout on 900 North to accommodate a proposed transit center at Brigham Young
 University
- Landscaped medians with trees along 900 East

EXHIBIT C

$900\; EAST$ FRONTAGE ROAD DESIGN SHEET





Provo City Municipal Council

Council Meeting Item Description

A discussion on the proposed 2016-2017 Annual Action Plan to be submitted to the Department of Housing and Urban Development. (16-033)

March 1, 2016

Every year, as Lead Entity for the Utah Valley HOME Consortium, Provo City submits an Annual Action Plan update to the Five-Year Consolidated Plan submitted to the Department of Housing and Urban Development (HUD). The Five-Year Consolidated Plan outlines the goals, objectives, and projects to be undertaken with the use of Community Development Block Grant (CDBG) and HOME funding allocations that the Redevelopment Department receives from HUD.

Redevelopment Staff prepares the draft of the Action Plan under the direction of the City Council and the Mayor. The plan addresses, among other aspects, citizen participation about project priorities and funding.



Provo City (Redevelopment Agency)

Staff Memorandum

FY 2016-2017 Annual Action Plan to (Update to 2015 Consolidated Plan)

March 1, 2016

Department Head

David Walter 6167

Presenter

Dan González 6168

Required Time for Presentation

15 Minutes

Is This Time Sensitive

Yes / No

Case File # (if applicable)

XX-XXX

Purpose of Proposal

• 2016-17 Annual Action Plan

Action Requested

• Adopt 2016-17 Action Plan and submit to HUD

Relevant City Policies

• 2016-17 Annual Action Plan to HUD; 2015 Consolidated Plan

Budget Impact

• \$2,597,652 (CDBG/HOME Grant allocations from HUD for FY 2016-17)

Description of this item (at least 2 paragraphs)

This is to help Council Members to have a clear understanding of what your item is.

- Every year, as Lead Entity for the Utah Valley HOME Consortium, Provo City submits an Annual Action Plan update to the Five-Year Consolidated Plan submitted to HUD outlining the goals, objectives and projects to be undertaken in the use of CDBG and HOME funding allocations received from HUD.
- Staff prepares the draft of the Action Plan under the direction of the City Council and Mayor. The plan addresses, among other aspects, citizen participation about project priorities and funding.





Year Two Action Plan

July 1, 2016 through June 30, 2017 of the 2015-2019 Five-Year Consolidated Plan

City of Provo
Utah Valley HOME Consortium (UVHC)
Redevelopment Agency of Provo City Corporation
351 West Center Street
Provo, Utah 84601

http://www.provo.org/departments/redevelopment







AP-05 EXECUTIVE SUMMARY - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Provo/Utah Valley HOME Consortium 2016-2017 Annual Action Plan is the second year action plan of the 2015-2019 Five-Year Consolidated Plan (ConPlan). It is a product of a planning and coordination process to identify housing and community development needs. The process forms the framework for a community-wide dialogue to establish priorities and create strategies to address those needs, especially for low-and moderate income households. This plan is intended to be an informative and useful tool for the residents, organizations and businesses committed to continued growth in our community.

The Annual Action Plan includes the City's application for the federal grants received from the U.S. Department of Housing and Urban Development (HUD) and administered by the Office of Community Planning and Development (CPD), a division of HUD, through which the City receives an annual allocation, or formula grant, from the CPD programs:

• Community Development Block Grant (CDBG)

The CDBG program's primary objective is to promote the development of viable urban communities by providing decent housing, suitable living environments and expanded economic activities to persons of low and moderate income. Provo receives CDBG as an entitlement city.

Home Investment and Partnerships Program (HOME)

The primary objective of the HOME Program is to create affordable housing for low-income households. Communities often partner with nonprofit and for-profit organizations to fund a wide variety of activities including building, buying and/or rehabilitating affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

The City of Provo has designated the Redevelopment Agency of Provo City Corporation (RDA) to manage and administer all funding received from HUD.

The Utah Valley HOME Consortium is an inter-jurisdictional partnership between The City of Provo, Orem City and Utah County, formed to receive HOME Program funds directly from HUD. The City of Orem receives its own CDBG entitlement and Utah County, as a qualified Urban County, also receives its own allocation of CDBG funding. All jurisdictions within Utah County, which have entered into an Interlocal Agreement to receive CDBG funding through Utah County, are also eligible to benefit from HOME funds. As the designated Lead Entity for the Consortium, The City of Provo administers

the HOME Program through the RDA. Although not yet a member of the Consortium, it is anticipated that City of Lehi will become a participating member with the new Consortium Agreement covering years 2017 through 2019 is signed.

2. Summary of Objectives and Outcomes Identified in the Plan

As a result of citizens' and City Council's input The City of Provo will prioritize its activities and projects in three categories of Locally Targeted Objectives: Decent Housing, Suitable Living Environment, and Creating Economic Opportunities.

Decent Housing

- DH-1 Improve and maintain neighborhood integrity through repair and rehabilitation of housing stock.
- DH-2 Increase the supply, affordability, and condition of rental housing in the community.
- DH-3 Provide down payment and closing cost assistance to increase low-income person's access to home ownership.
- DH-4 Support programs that work to educate low-income households concerning home ownership.
- DH-5 Support efforts to more rapidly assist families from homelessness into permanent or transitional housing.
- DH-6 Increase the supply and affordability of homeownership housing in the community

Suitable Living Environments

- SLE-1 Undertake infrastructure projects in low-income neighborhoods (e.g. playground equipment, lighting, street enhancements, accessibility access, etc.).
- SLE-2Provide funding for organizations that assist Provo residents to improve job skills.
- SLE-3 Assist in providing services to low-income families with at-risk youth (e.g. after-school programs, recreation programs, mentoring programs, etc.).
- SLE-4 Provide or upgrade neighborhood facilities (e.g. parks, community centers, etc.).
- SLE-5 Provide support services to population with special needs (e.g. elderly, persons with disabilities, homeless persons, victims of domestic violence, etc.).
- SLE-6 Assist agencies that provide meals to very-low- and low-income individuals.
- SLE-7 Provide funding to social service organizations for rehabilitation of their own buildings.
- SLE-8 Provide assistance to agencies that provide healthcare services and health education to Provo residents.

Economic Opportunities

- EO-1 Provide job creation and retention through small business assistance.
- EO-2 Provide technical assistance in recruiting business to vacant buildings in the Central Business District.
- EO-3 Assist local businesses and entrepreneurs by providing mentoring and technical assistance.
- EO-4 Provide job creation and eliminate blighting influences on storefronts in the Central Business District.
- EO-5Increase economic opportunities to minority- and women-owned businesses.

3. Evaluation of Past Performance

The CDBG and HOME investments have been used to make long lasting improvements serving low-income residents. Past programs have focused on community needs that continue to exist including affordable housing, neighborhood improvements, and social service support for low-income residents.

At the conclusion of each program year the City of Provo prepares its Consolidated Annual Performance Evaluation Report (CAPER) which is submitted to HUD within 90 days of the end of the Program Year (PY).

While specific accomplishment data for the 2015 PY are not yet available we believe the programs and projects carried out have benefited greatly and assisted in meeting community needs.

4. Summary of Citizen Participation and Consultation Process

An integral part of the ConPlan planning process is Citizen Participation as it provides for goals and priorities that are defined in the context of community needs and preferences. In addition, the citizen participation process provides a format to educate the community about the federal grants received by City of Provo and the Consortium. To this end the RDA solicited involvement from a diverse group of stakeholders and community members during the development of the 2015-2019 ConPlan. A comprehensive public engagement process included stakeholder meetings, citizen's survey, public hearings, committee meetings and a public comment period.

The City received input from residents, stakeholders and other interested parties including service providers.

5. Summary of Public Comments

A summary of public comments will be available in the Final Draft of this Annual Action Plan.

6. Summary of Comments Not Accepted

Comments received will be considered and utilized to inform the needs assessment, goal setting, and prioritization of funding.

7. Summary

The Annual Action Plan provides for the allocation of 2016-17 CDBG and HOME funds and the reprogramming of existing funds and reflects the coordinated efforts of local governments and citizens, as well as the wide network of housing and human service providers in Utah County.

PR-05 LEAD & RESPONSIBLE AGENCIES - 24 CFR - 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible of each grant program and funding source

The following agencies/entities are responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

| Agency Role | Name | Department/Agency |
|--------------------|-------|--|
| Lead Agency | PROVO | REDEVELOPMENT AGENCY OF PROVO CITY CORPORATION |
| CDBG Administrator | PROVO | REDEVELOPMENT AGENCY OF PROVO CITY CORPORATION |
| HOME Administrator | PROVO | REDEVELOPMENT AGENCY OF PROVO CITY CORPORATION |

Table 1 - Responsible Agencies

2. Narrative

The City of Provo, through the Redevelopment Agency of Provo City Corporation, is the lead agency responsible for preparing the Consolidated Plan and consecutive annual updates. The RDA also represents the City of Provo as the Lead Entity for the HOME portion of the Consolidated Plan for the Utah Valley HOME Consortium. The City of Orem administers its own CDBG funds as does Utah County as an Urban County entitlement.

3. Consolidated Plan Public Contact Information

Dan González, CDBG & HOME Program Administrator Redevelopment Agency of Provo City Corporation 351 West Center Street Provo, UT 84601 801-852-6168 dgonzalez@provo.org

City of Provo/UVHC

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

This section describes the community consultation process followed by the City in developing the Consolidated Plan and the coordination with other local governments, the Continuum of Care, public and private housing providers, and service agencies.

The RDA engaged in a collaborative effort to consult with City departments, representatives of low-income neighborhoods, non-profit and for-profit housing developers, service providers, lenders, social service agencies, homeless service providers, faith-based organizations, supportive housing and service providers, community stakeholders, community partners, and beneficiaries of entitlement programs to inform and develop the priorities and strategies contained within the ConPlan.

a. Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

In preparing the 2016-17 Action Plan the RDA held consultations with various organizations which provide services in the City and Utah County, including local leaders, housing providers, and service providers.

The RDA held two workshops at the City's Recreation Center and provided a survey to gather input from citizens. The survey was also made available electronically and published in the City's website and social media. Additionally, the survey was emailed to current service and housing partner agencies receiving CDBG and/or HOME funding through the City and the Consortium.

b. Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The vision of the Mountainland Region Continuum of Care (CoC) is to provide decent, safe and affordable housing and effective support services to homeless, chronic homeless families and individuals including—initial stabilization, transitional housing, permanent housing, access to mainstream resources and independence from governmental assistance. United Way of Utah County (United Way) leads the CoC, of which the City of Provo is a member, represented by the RDA. The CoC is an organized body of local jurisdictions, government agencies, local nonprofit organizations, faith-based service and housing organizations, and other

agencies and partners seeking to maximize resources and avoid duplication of services while providing consistent and unified planning in Utah County.

As it annually does, the CoC led the efforts for the point in time count, in which over 70 volunteers participated in an outreach to find homeless individuals. The event was advertised in the Daily Herald (local paper), the Provo Mayor's blog, and the United Way Facebook page. A partner agency, Community Action Services and Food Bank, emailed invitations to their volunteers.

Chronically Homeless Individuals and Families—The RDA coordinates closely with the CoC in addressing chronic homelessness for individuals and families. The CoC developed a coordinated intake and assessment system to coordinate services, support individual agencies in reaching project goals and HUD and CoC established performance goals.

Families with Children—The specific needs of families facing homelessness is a key component of the work being done by the CoC, which centralizes resources, leveraging partnerships amongst CoC members.

Veterans—The CoC participates in the planning and coordinating efforts associated with the Ten-Year plan to End Homelessness in Utah. The CoC will implement its coordinated intake and assessment and housing placement system for single adults.

c. Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS.

Neither the City of Provo, nor any other jurisdiction with membership in the HOME Consortium receives ESG funding.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

The table below shows key participants with whom consultations were held in preparing the Consolidated Plan. For further information, please also see the Citizen Participation appendix.

Table 2 - Agencies, groups, organizations who participated

| 1 | Agency/Group/Organization | Affiliated Family Treatment Center |
|---|------------------------------|--|
| | Agency/Group/Organization | Services-Children |
| | Туре | Services-Victims of Domestic Violence |
| | What Section of the Plan was | Non-Homeless Special Needs |
| | addressed | |
| | How was the | The organization received a survey. Continue |
| | Agency/Group/Organization | to make available financial support to provide |
| | consulted, and what are the | needed therapy for victims of domestic abuse |
| | anticipated outcomes of the | and their children. |
| | consultation or areas for | |
| | improved coordination? | |
| 2 | Agency/Group/Organization | Big Brothers Big Sisters of Utah |
| | Agency/Group/Organization | Services-Children |
| | Type | |
| | What Section of the Plan was | Non-Homeless Special Needs |
| | addressed | |
| | How was the | The organization received a survey. Continue |
| | Agency/Group/Organization | to support Provo neighborhoods in minimizing |
| | consulted, and what are the | divisions by removing perceived barriers to |
| | anticipated outcomes of the | interaction and foster sense of belonging. |
| | consultation or areas for | |
| | improved coordination? | |
| 3 | Agency/Group/Organization | Center for Women & Children in Crisis |
| | Agency/Group/Organization | Housing |
| | Type | Services – Children |
| | | Services – Victims of Domestic Violence |
| | | Services – Homeless |
| | | Services – Education |
| | What Section of the Plan was | Non-Homeless Special Needs |
| | addressed | Homeless Needs—Families with Children |
| | | Housing Need Assessment |
| | How was the | The Director and Program Manager were |
| | Agency/Group/Organization | interviewed. Continued funding to support |
| | consulted, and what are the | and operate emergency sheltering, treatment |
| | anticipated outcomes of the | and recovery services, as well as transitional |
| | consultation or areas for | housing to victims of domestic abuse. |
| | improved coordination? | |

| 4 | Agency/Group/Organization | Community Action Services & Food Bank |
|---|------------------------------|--|
| | Agency/Group/Organization | Services – Housing |
| | Type | Services - Children |
| | | Services - Homeless |
| | | Services – Education |
| | What Section of the Plan was | Homelessness Strategy |
| | addressed | Homeless Needs – Families with Children |
| | | Non-Homeless Special Needs |
| | How was the | Through agency staff interviews, data was |
| | Agency/Group/Organization | gathered to complete the Plan. The agency |
| | consulted, and what are the | provides several services to low- and |
| | anticipated outcomes of the | moderate-income households throughout Utah |
| | consultation or areas for | County providing rental and food pantry |
| | improved coordination? | assistance with case management follow-up, |
| | | as well as homebuyer education, among other |
| | | services. |
| 5 | Agency/Group/Organization | Community Health Connect |
| | Agency/Group/Organization | Health Agency |
| | Type | |
| | What Section of the Plan was | Overall Plan |
| | addressed | |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to assist in making affordable medical |
| | consulted, and what are the | and dental care available to low- and |
| | anticipated outcomes of the | moderate-income households. |
| | consultation or areas for | |
| | improved coordination? | |
| 6 | Agency/Group/Organization | Family Support & Treatment Center |
| | Agency/Group/Organization | Services – Children |
| | Type | Services – Education |
| | | Services – Victims |
| | What Section of the Plan was | Overall Plan |
| | addressed | |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to assist children who are victims of |
| | consulted, and what are the | child abuse (sexual or physical) or neglect who are classified as low- and moderate-income |
| | anticipated outcomes of the | families. |
| | consultation or areas for | idiimies. |
| | improved coordination? | 1 |

| 7 | Agency/Group/Organization | Food & Care Coalition |
|---|------------------------------|---|
| | Agency/Group/Organization | Services - Housing |
| | Type | Services - Persons with Disabilities |
| | | Services – Health |
| | | Services – Homeless |
| | | Services – Education |
| | What Section of the Plan was | Homeless Needs – Chronically homeless |
| | addressed | Homelessness Strategy |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to assist homeless individuals with |
| | consulted, and what are the | meals and other basic support services and |
| | anticipated outcomes of the | case management. |
| | consultation or areas for | |
| | improved coordination? | |
| 8 | Agency/Group/Organization | Friends of Utah County Children's Justice |
| | | Center |
| | Agency/Group/Organization | Services - Children |
| | Type | Services – Victims |
| | What Section of the Plan was | Overall Plan |
| | addressed | |
| | How was the | The center received a survey. Continued |
| | Agency/Group/Organization | support to aid abused children by providing |
| | consulted, and what are the | specialized mental health treatment to serve |
| | anticipated outcomes of the | them and their families. |
| | consultation or areas for | |
| | improved coordination? | |
| 9 | Agency/Group/Organization | Golden Spike and Outreach |
| | Agency/Group/Organization | Housing |
| | Type | Services – Persons with Disabilities |
| | | Services – Homeless |
| | What Section of the Plan was | Housing Needs Assessment |
| | addressed | Homeless Needs-Homeless Strategy |
| | How was the | Interviewed staff. Golden Spike deals primarily |
| | Agency/Group/Organization | with released offenders of substance abuse |
| | consulted, and what are the | providing comprehensive treatment to |
| | anticipated outcomes of the | recovery where the first step is providing |
| | consultation or areas for | housing assistance and is complemented with |
| | improved coordination? | case management and complementary |
| i | | |

| 10 | Agency/Group/Organization | Habitat for Humanity of Utah County |
|----|------------------------------|--|
| | Agency/Group/Organization | Housing |
| | Туре | Services – Education |
| | What Section of the Plan was | Housing Needs Assessment |
| | addressed | Market Analysis |
| | | Strategic Plan |
| | How was the | Staff was interviewed. Habitat develops new |
| | Agency/Group/Organization | single family housing and rehabilitates existing |
| | consulted, and what are the | single family housing, including providing |
| | anticipated outcomes of the | critical home repairs. In addition they |
| | consultation or areas for | contract and coordinate with local government |
| | improved coordination? | to assist and revitalize neighborhoods through |
| | | community education and organization to |
| | | implement clean-up and planting initiatives. |
| 11 | Agency/Group/Organization | Housing Authority of Utah County |
| | Agency/Group/Organization | PHA |
| | Туре | |
| | What Section of the Plan was | Housing Needs Assessment |
| | addressed | Public Housing Needs |
| | | Market Analysis |
| | | Strategic Plan |
| | How was the | Staff was interviewed. Requested information |
| | Agency/Group/Organization | on the HA's Plan, perceived needs of public |
| | consulted, and what are the | housing residents and voucher holders, and |
| | anticipated outcomes of the | the status of the general public housing and |
| | consultation or areas for | Section 8 waiting lists. |
| | improved coordination? | |
| 12 | Agency/Group/Organization | House of Hope |
| | Agency/Group/Organization | Services - Children |
| | Туре | Services – Persons with Disabilities |
| | | |
| | What Section of the Plan was | Housing Need Assessment |
| | addressed | Non-Homeless Special Needs |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to provide housing, therapy and case |
| | consulted, and what are the | management to women with substance abuse |
| | anticipated outcomes of the | problems and their children. |
| | consultation or areas for | |
| | improved coordination? | |

| 13 | Agency/Group/Organization | Mountainlands Community Health Center |
|----|------------------------------|--|
| | Agency/Group/Organization | Health Agency |
| | Туре | |
| | What Section of the Plan was | Overall Plan |
| | addressed | |
| | How was the | The Center received a survey. We have |
| | Agency/Group/Organization | worked successfully with Mountainlands |
| | consulted, and what are the | Community Health Center over the last seven |
| | anticipated outcomes of the | years; this continued relationship solidifies |
| | consultation or areas for | access to affordable healthcare to low- and |
| | improved coordination? | moderate-income households. |
| 14 | Agency/Group/Organization | People Helping People |
| | Agency/Group/Organization | Services – Education |
| | Туре | Services - Employment |
| | What Section of the Plan was | Overall Plan |
| | addressed | |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to provide low-income and minority |
| | consulted, and what are the | women with opportunities for affordable day- |
| | anticipated outcomes of the | care, community support from working |
| | consultation or areas for | women, and helping them receive proper |
| | improved coordination? | education and gain adequate employment. |
| 15 | Agency/Group/Organization | Project Read |
| | Agency/Group/Organization | Services – Elderly Persons |
| | Type | Services – Education |
| | What Section of the Plan was | Overall Plan |
| | addressed | |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to assist and provide services to |
| | consulted, and what are the | prevent and alleviate adult illiteracy through |
| | anticipated outcomes of the | one-on-one tutoring services to help them |
| | consultation or areas for | improve their English reading and writing |
| | improved coordination? | skills. |
| 16 | Agency/Group/Organization | Provo City Community Development |
| | Agency/Group/Organization | Grantee Department |
| | Type | |
| | What Section of the Plan was | Housing Need Assessment |
| | addressed | Market Analysis |
| | How was the | Interviews with staff. Increased coordination |

| | Agency/Group/Organization | to provide unified information to city |
|----|---|--|
| | | administration and elected officials. |
| | consulted, and what are the | administration and elected officials. |
| | anticipated outcomes of the | |
| | consultation or areas for | |
| | improved coordination? | |
| 17 | Agency/Group/Organization | Provo City Economic Development |
| | Agency/Group/Organization | Grantee Department |
| | Туре | |
| | What Section of the Plan was | Economic Development |
| | addressed | |
| | How was the | Staff was interviewed about the City's |
| | Agency/Group/Organization | priorities identifying the need for supporting |
| | consulted, and what are the | businesses in the Central Business District. |
| | anticipated outcomes of the | |
| | consultation or areas for | |
| | improved coordination? | |
| 18 | Agency/Group/Organization | Provo City Housing Authority |
| | Agency/Group/Organization | PHA |
| | Туре | |
| | What Section of the Plan was | Housing Needs Assessment |
| | addressed | Public Housing Needs |
| | | Market Analysis |
| | How was the | Staff was interviewed. Requested information |
| | Agency/Group/Organization | on the HA's Plan, perceived needs of public |
| | consulted, and what are the | housing residents and voucher holders, and |
| | anticipated outcomes of the | the status of the general public housing and |
| | consultation or areas for | Section 8 waiting lists. |
| | improved coordination? | |
| 19 | Agency/Group/Organization | Recreation and Habilitation Services (RAH) |
| | Agency/Group/Organization | Services - Children |
| | Туре | Services - Persons with Disabilities |
| | What Section of the Plan was | Non-Homeless Special Needs |
| | addressed | Non-Housing Community Development Needs |
| | How was the | The organization received a survey. Continued |
| | Agency/Group/Organization | support to provide recreational opportunities |
| | | to people with disabilities and a safe |
| | consulted, and what are the | to people with disabilities and a sale |
| | consulted, and what are the anticipated outcomes of the | environment for them and their neighbors. |
| | • | |

| 20 | Agency/Group/Organization | Rural Housing Development Corporation |
|----|------------------------------|--|
| | Agency/Group/Organization | Housing |
| | Туре | |
| | What Section of the Plan was | Housing Need Assessment |
| | addressed | Housing Market Analysis |
| | How was the | Staff was interviewed. Continued support to |
| | Agency/Group/Organization | build and distribute Affordable Housing |
| | consulted, and what are the | throughout the Utah County. |
| | anticipated outcomes of the | |
| | consultation or areas for | |
| | improved coordination? | |
| 21 | Agency/Group/Organization | U.S. Department of Veteran's Affairs |
| | Agency/Group/Organization | Other Government: Federal |
| | Туре | |
| | What Section of the Plan was | Homeless Needs – Veterans |
| | addressed | |
| | How was the | Staff was interviewed and provided |
| | Agency/Group/Organization | information on support on VA Supportive |
| | consulted, and what are the | Housing participation, housing needs of |
| | anticipated outcomes of the | homeless veterans and veteran families within |
| | consultation or areas for | the local Continuum of Care. |
| | improved coordination? | |
| 22 | Agency/Group/Organization | Utah State University Extension, Utah |
| | | County 4-H Clubs |
| | Agency/Group/Organization | Other Government: State |
| | Type | Services - Children |
| | What Section of the Plan was | Non-Homeless Special Needs |
| | addressed | 10. C 0 11 15 11 11 11 11 11 11 11 11 11 11 11 |
| | How was the | Interviewed Staff. Continued funding to assist |
| | Agency/Group/Organization | in expanding the program in Provo to mentor |
| | consulted, and what are the | at-risk youth to reduce and prevent delinquent |
| | anticipated outcomes of the | behavior by increasing academic performance, |
| | consultation or areas for | interpersonal competence and strengthen |
| 20 | improved coordination? | family bonds. |
| 23 | Agency/Group/Organization | Wasatch Mental Health |
| | Agency/Group/Organization | Other Government: State |
| | Type | Services – Persons with Disabilities |
| | What Section of the Plan was | Non-Homeless Special Needs |
| | addressed | Homeless Needs |

| How was the | Staff was interviewed who provided insight |
|-----------------------------|--|
| Agency/Group/Organization | into the needs of persons with mental health |
| consulted, and what are the | disabilities. WMH coordinates services and |
| anticipated outcomes of the | resources with other local and state providers |
| consultation or areas for | in part through the local Continuum of Care |
| improved coordination? | |

a. Identify any Agency Types not consulted and provide rationale for not consulting

The Annual Action Plan process provided an opportunity and invited participation comments from all relevant organizations and agencies.

b. Other local/regional/state/federal planning efforts considered when preparing the Plan

| Name of Plan | Lead Organization | How do the goals of your Strategic Plan overlap with the goals of each plan? |
|-----------------------------|---|--|
| Continuum of Care Plan | United Way of Utah County | Assist persons who are homeless and at risk of homelessness |
| Five-Year Consolidated Plan | Orem City | |
| Five-Year Consolidated Plan | Lehi City | |
| Five-Year Consolidated Plan | Mountainland Association of Governments | |

Table 3 - Other local / regional / federal planning efforts

c. Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l)).

As Lead Entity of the Utah Valley HOME Consortium, the City of Provo engages with other Consortium members discussing community needs and long-term housing strategies. The City of Provo is also an active member of the Mountainland Continuum of Care, the Utah County Council of Governments.

City of Provo/UVHC

AP-12 Participation – 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

a. Summarize citizen participation process and how it impacted goal-setting

The RDA sought out public participation in the development of this plan from citizen's at large, non-profit organizations, elected officials and other interested parties through public meetings, public hearings and surveys.

Citizen Advisory Committees met several times to evaluate applications and listen to presentations from agencies seeking funding from both CDBG and HOME programs. Residents were invited to participate in the Public Hearings where the projects and/or programs for the second year Action Plan were presented as well as provide input in its adoption.

The 30-day Public Comment Period to this Plan was from April 19, 2016 to May 18, 2016. Comments were solicited in person during the Council Public Hearings held on April 19 and May 17, 2016. Interested parties can also provide input through email to the CDBG & HOME Administrator for the City of Provo: dgonzalez@provo.org; by phone: 801-850-6168; and by mail: to Redevelopment Agency of Provo City Corporation, ATTN: 2016-17 Annual Action Plan, 351 West Center Street, Provo, Utah, 84601.

Citizen Participation Outreach

| Mode of Outreach | Target of Outreach | Summary of response/attend ance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|-------------------|--|---|--|--|------------------------|
| Public Meeting | Non- Targeted / Broad Community | Attended by 5 residents and Nonprofit representatives | Attendees ranked the importance of public services, infrastructure, job development, etc. by responding to a survey indicating their priorities on proposed activities. | | |
| Newspaper Ad | Non- Targeted / Broad Community | No responses | No comments received | | |
| Internet Outreach | Non- Targeted / Broad Community | Received a total of 36 responses | The highest priority from an overwhelming majority of respondents was to "Improve and maintain neighborhood integrity through repair and rehabilitation of housing stock. The next highest ranked was "Undertake infrastructure projects in low- and moderate-income neighborhoods." All other priorities ranked very closely. | | |
| Emailed Survey | Minorities/ Low- Income | Social Services providers received a survey and were asked to have their clients respond to them. | No comments received | | |

| Mode of Outreach | Target of Outreach | Summary of response/attend ance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|------------------|---|---|------------------------------|--|------------------------|
| Public Meeting | City Officials | Municipal Council members and City Administrators | | | |
| Public Hearing | Non- targeted /Broad Community | Municipal Council sought input from citizens/residents on the 2016-17 Annual Action Plan proposed activities. | | | |

Table 4 - Citizen Participation Outreach

SP-25 Priority Needs - 91.415, 91.215(a)(2)

Priority Needs

| 1 | Priority Need | Decent Housing | |
|---|--------------------------|---|--|
| | Priority Level | High | |
| | Population | Extremely Low Low | |
| | | Moderate | |
| | | Large Families | |
| | | Families with Children Elderly | |
| | | Mentally Ill | |
| | | Individuals | |
| | | Veterans | |
| | | Victims of Domestic Violence | |
| | | Elderly | |
| | Geographic | Citywide-Provo City (CDBG) | |
| | Areas Affected | Consortium-wide (HOME) | |
| | Associated Goals | Rehabilitate Owner Occupied Housing | |
| | | Build New Rental Housing | |
| | | Provide Down Payment Assistance to Homebuyers | |
| | | Provide Tenant-Based Rental | |
| | Description | The City of Provo and Consortium cities fund affordable housing programs/projects through CDBG and HOME Programs. | |
| | Basis for | Priority is assigned based on the level of need that is demonstrated by the | |
| | Relative Priority | data that collected for the preparation of the ConPlan. | |
| 2 | Priority Need Name | Suitable Living Environment | |
| | Priority Level | High | |

| | Dames 1 - 41 | Patricina de Lacia | | | |
|---|-----------------------|---|--|--|--|
| | Population | Extremely Low | | | |
| | | Low | | | |
| | | Large Families | | | |
| | | Families with Children | | | |
| | | Elderly | | | |
| | | Public Housing Residents | | | |
| | | Chronic Homelessness | | | |
| | | Individuals | | | |
| | | Families with Children | | | |
| | | Mentally Ill | | | |
| | | Chronic Substance Abuse | | | |
| | | veterans | | | |
| | | Persons with HIV/AIDS | | | |
| | | Victims of Domestic Violence | | | |
| | | Unaccompanied Youth | | | |
| | | Elderly | | | |
| | | Frail Elderly | | | |
| | | Persons with Mental Disabilities | | | |
| | | Persons with Physical Disabilities | | | |
| | | Persons with Developmental Disabilities | | | |
| | | Persons with Alcohol or Other Addictions | | | |
| | | Persons with HIV/AIDS and their Families | | | |
| | | Victims of Domestic Violence | | | |
| | | Non-housing Community Development | | | |
| | Geographic | Citywide-Provo City (CDBG) | | | |
| | Areas Affected | | | | |
| | | Public Facilities | | | |
| | Associated Goals | Provide Access to Human and Medical Services | | | |
| | | Opportunities for Special Needs Populations | | | |
| | | Assist agencies that provide meals | | | |
| | | Rehabilitation of Human Services Organizations Facilities | | | |
| | | Assist agencies that provide healthcare and health education | | | |
| | Description | The City of Provo will fund activities that contribute to the creation of | | | |
| | | suitable living environments through the CDBG Program | | | |
| | Basis for | Priority is assigned based on the level of need that is demonstrated by the | | | |
| | Relative Priority | data that collected for the preparation of the ConPlan. | | | |
| 3 | | Economic Development | | | |
| | Priority Need Name | Economic Development | | | |
| | | | | | |
| | Priority Level | High | | | |

| Population | Extremely Low |
|-------------------|---|
| Topulation | Low |
| | Middle |
| | Large Families |
| | Families with Children |
| | Elderly |
| | Public Housing Residents |
| | Rural |
| | Chronic Homelessness |
| | Individuals |
| | Families with Children |
| | Mentally Ill |
| | Chronic Substance Abuse |
| | veterans |
| | Persons with HIV/AIDS |
| | Victims of Domestic Violence |
| | Unaccompanied Youth |
| | Elderly |
| | Frail Elderly |
| | Persons with Mental Disabilities |
| | Persons with Physical Disabilities |
| | Persons with Developmental Disabilities |
| | Persons with Alcohol or Other Addictions |
| | Persons with HIV/AIDS and their Families |
| | Victims of Domestic Violence |
| Geographic | Citywide-Provo City (CDBG) |
| Areas Affected | |
| | Small Business Assistance |
| Associated Goals | Job Creation trough ED Assistance and Job Training |
| | Elimination of Blighting Influences |
| | Increase Opportunities to minority- and women-owned businesses |
| Description | Support Central Business District, provide financial and technical |
| | assistance to small businesses, job creation and elimination of blighting |
| | influences, increase opportunities to minority- and women-owned |
| | businesses |
| Basis for | Priority is assigned based on the level of need that is demonstrated by the |
| Relative Priority | data that collected for the preparation of the ConPlan. |
| | Proparation of the dom iam |

Table 5 - Priority Needs Summary

SP-65 Lead based paint Hazards - 91.415, 91.215(i)

1. Actions to address LBP hazards and increase access to housing without LBP hazards

For all activities for Downpayment assistance, owner-occupied rehabilitation, purchase/rehabilitation/resale and multi-family rehabilitation involving structures built before 1978, the premises are inspected and tested for lead-based paint. Where LBP is identified, appropriate steps are taken to safely renovate, repair and paint or abate the potential hazard.

Given the high percentage of housing stock built before 1978 continued efforts for outreach and education most continue. Housing rehabilitation programs are in compliance with HUD's rules concerning identification and treatment of lead hazards.

2. How are the actions listed above related to the extent of lead poisoning and hazards?

Interim lead-based paint control methods include: paint stabilization, friction and impact surface treatments, dust controls and soil treatments.

Through our housing programs and outreach efforts we hope to increase awareness in ultimately affect a reduction in the number of children testing positive for elevated blood-lead levels.

3. How are the actions listed above integrated into housing policies and procedures?

Housing assisted with CDBG or HOME funds through emergency repair, owner-occupied rehabilitation, purchase/resale/rehabilitation, tenant-based rental assistance or down payment assistance programs documents all chipping, peeling, flaking, and/or chalking paint in the housing inspection as a hazard. All rehabilitation or repair conducted in pre-1978 housing stock use lead-safe work practices, unless the paint is inspected and tested negative. Inspectors in these housing programs maintain their certification in lead-safe practices. Contractors must be trained as lead-safe renovator and provide copy of their training certificate to program administrators. After the work is completed, a lead clearance is conducted by a certified inspector to ensure the property is safe.

SP-70 Anti-Poverty Strategy - 91.415, 91.215(j)

1. Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The limited incomes of many residents in The City of Provo and other Consortium cities have left them with insufficient means to meet an adequate standard of living. In a strategic effort to reduce the number of households living in poverty and prevent households at risk of moving into poverty, is necessary to support the most vulnerable populations, including the chronically homeless, homeless families, food-insecure families and individuals, the disabled, victims of domestic violence, and the low-income elderly.

The Consortium's anti-poverty strategy is the unifying thread that ties the housing, homeless, public housing and non-housing community development strategies together as one comprehensive plan for reducing the number of families that fall below the poverty level. The strategic plan, goals and objectives promote self-sufficiency and empowerment.

The City of Provo, as Lead Entity, will coordinate efforts among Consortium members and partner organizations to collaborating in combining available resources to assist families and individuals overcoming poverty. These partners include neighborhood residents, representatives of social service agencies, business, churches, nonprofit agencies and developers, lenders and other for-profit entities.

Key Goals of the Anti-Poverty Strategy, and Five-Year Strategic Goals:

- Provision of adequate and affordable housing
- Neighborhood stabilization
- Elimination of substandard housing
- Availability of special needs housing.

Through these goals the aim is to close the gap in a number of socioeconomic indicators, such as, improving housing affordability, school readiness of young children, employment skills of at-risk adults, and access to transportation for low-income households.

2. How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan?

The social service delivery strategy provides focus on program that support education, counseling, prevention programs, case management and other capacity building functions. The City of Provo and Consortium cities seek to reduce the number of

poverty-level families by supporting social service development programs that facilitate the creation or retention of job opportunities.

The continued funding of housing rehabilitation, construction, and down payment assistance for affordable housing provides families and individuals in poverty an opportunity to obtain a safe, decent, and affordable place to live.

SP-80 Monitoring - 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Provo City Corporation (City) is the recipient of HUD's Community Development Block Grant (CDBG) as an entitlement city and the HOME Investment and Partnerships Program (HOME) as Lead Entity of the Utah Valley HOME Consortium. The City has designated its Redevelopment Agency (RDA) to administer these and other grants received by the City.

To ensure compliance from the start of a project/program, the RDA uses the application process to start the monitoring process of all agencies. Each application goes through a review process conducted to ensure that each applicant meets a national objective and that the organizational goals are in line with the goals identified in the Consolidated Plan. Once the application pass the initial review, each application is then evaluated through a public process with the final decision for funding decided by elected officials. The next step is drawing a contract identifying regulations, scope of work, budgets and all other federal and local requirements of the particular program.

Desk Review

The RDA administers and operates all CDBG and HOME grants on a reimbursement basis. This ensures that desk reviews, which is an important part of monitoring, can be completed by the Program Administrators before Federal funds are used for any program/project.

A desk review will be completed every time a reimbursement request needs to be processed, generally every month, but sometimes quarterly. Program Administrators can then verify that all requirements of the contract are actively being met prior to disbursement of any funds or drawing funds from HUD's Integrated Disbursement and Information System (IDIS). The IDIS system also helps assist with program/project eligibility requirements, track spending rates and report performance measurements.

Trust Deeds and/or Restrictive Covenants are recorded on all properties using HOME funds to ensure the property will be used for the correct affordability period required and determined by the amount of HOME funds used.

Annual On-Site Monitoring

Contracts with all CDBG Subrecipients and HOME Contractors/Developers establish an onsite annual monitoring per fiscal year. These visits provide an opportunity for RDA staff member to ensure that Subrecipients understand their responsibilities and are in compliance with all Federal regulations and are actively working to achieve the objectives outlined in their contract and the ConPlan. The RDA completes a Risk Analysis which together with other reporting mechanisms determines which agencies would benefit from a technical training session. Technical assistance is also available at any time when requested by a Subrecipient, Contractor or Developer.

Section 3 and Minority- and Women-Owned Businesses

Section 3 policies require that employment opportunities created in conjunctions with HUD funded projects are extended to low- and very low-income residents of the area where the project is being implemented. In essence, Section 3 eligible residents are to be extended preference in new hiring situations which result from HUD-sourced public construction funds. The RDA encourages businesses to hire from Section 3 pools, and to apply for official Section 3 Business designation. These Section 3 Businesses must meet self-certified application requirements on the State of Utah's Section 3 registry. The RDA also encourages partnerships for outreach, training, and hiring with local workforce agencies.

Following The City of Provo policies, the RDA purchases the highest quality supplies, equipment, construction and services at the lowest possible prices. The purchases of these goods and any contracts on projects funded by the U.S. Department of Housing and Urban Development (HUD) are administered without discrimination on the basis of race, color, religion, sex, age, or national origin.

Grant Administrators for CDBG and HOME evaluate program performance for compliance with grant fiscal and program requirements. Their responsibilities include: accurate and timely submission of required federal reports (including HUD 60002 Section 3 Annual Summary Report; HUD 4710 Labor Standards Enforcement Report and HUD 2516 Contract and Subcontract Activity Report); IDIS reporting, monitor and approve program expenditures, monitor CDBG and HOME administration expenditures to ensure they are within HUD limits; monitor low- and moderate-income public benefit limits to ensure at least 70 percent of CDBG activities benefit low- and moderate- income persons for the certification period and monitor periods of affordability for HOME funded activities.

The RDA submits to The City of Provo's audit and quality control procedures outlined by Government Auditing and Reporting Standards and by Utah State code. The RDA is audited annually for review of financial and reporting activities, including a "Single Audit" review of federal grants.

YEAR ONE ACTION PLAN 2015-2016

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

1. Introduction

The following table summarizes the anticipated resources.

| | | | Exp | ected Amount | t Available Yea | ır 1 | J(| n |
|---------|--------------------|--|----------------------|-------------------|------------------------|-------------|---------------------------------------|--|
| Program | Source of Funds | Uses of Funds | Annual Allocation | Program Income | Prior Year Resource | Total | Expected Amount Available Reminder of | Description |
| CDBG | Public Federal | Acquisition Admin and Planning Economic Development Housing Land Acquisition Public Improvements Public Services | \$1,206,010 | \$182,178 | \$41,826 | \$1,430,014 | \$3,690,700 | Funds will leverage other public investment through infrastruct ure projects. Expected amount available assumes similar annual entitlement allocation and similar CDBG Program Income each year. |
| HOME | Public Federal | Acquisition Homebuyer Assistance Homeowner rehab Multifamily rental new construction New construction for ownership TBRA | \$1,053,336 | \$0.00 | \$114,302 | \$1,167,638 | \$2,870,800 | These funds will be distributed throughout the Consortium to support housing needs of low income residents |

Table 6 - Expected Resources - Priority Table

2. Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Provo City's Public Facilities and Parks projects use CDBG funding as gap financing allowing to leverage other sources of funds.

HOME funding is also used to leverage private funding, frequently in addition to the 25 percent Match required by the program. Match is met through a combination of private financing, cash contributions, donated material, services, and labor.

3. If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A

ANNUAL GOALS AND OBJECTIVES

AP-20 Annual Goals and Objective - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|------------|------------------------------|---------------|-------------|---|--------------------|------------------------------------|------------------------------------|--|
| 1 | Homeowner/Homebuyer | 2015 | 2019 | Affordable Housing | meu | Affordable Housing | CDBG: \$320,432 HOME: \$853,950 | Homeowner Housing Constructed: 8 Homeowner Housing- Rehabilitated: 29 Direct Financial Assistance to Homebuyers: 37 |
| 2 | Rental Housing | 2015 | 2019 | Affordable Housing | | Affordable Housing | HOME: \$647,625 | Rental Units Constructed: 15 Rental Units Rehabilitated Tenant-Based Rental Assistance: 20 |
| 3 | Public Facilities | 2015 | 2019 | Non-Housing Community Development | | Suitable Living Environments | CDBG: \$573,680 | Public Facility or Infrastructures Activities: 4 |
| 4 | Public Services | 2015 | 2019 | Homelessness Non- Homeless Special Needs | | Suitable Living Environments | CDBG: \$192,103 | Public Service Activities: 165 |
| 5 | Stimulate Economic Growth | 2015 | 2019 | Non-Housing Community Development | | Economic Development | CDBG: \$105,935 | Jobs Created/Retained Businesses Assisted: 7 |

Table 7 - Goals Summary

Goal Descriptions

| 1 | Goal Name | Homeowner/Homebuyer Affordability |
|-------------------|--|--|
| | Goal Description | The purpose of this goal is to increase the affordability, availability, accessibility and sustainability of owner-occupied housing. |
| 2 | 2 Goal Name Rental Housing Affordability | |
| | Goal Description | The purpose of this goal is to increase the affordability, availability, accessibility and sustainability of rental housing. |
| 3 | Goal Name | Public Facilities |
| | Goal Description | This goal strives to improve neighborhood infrastructure and access to basic services for low- and moderate-income and special |
| needs populations | | needs populations |
| 4 | Goal Name | Public Services |
| | Goal Description | This goal consists of activities to help low- and moderate-income individuals and families as well as individuals with special needs |
| | doar Description | receive, therapy, supportive services, education, medical assistance, and other needed services |
| 5 | Goal Name | Stimulate Economic Growth |
| | Goal Description | This goal includes activities that create or retain jobs, foster entrepreneurship and increase access to employment centers for low- |
| | doai Description | and moderate-income populations |

Table 8 - Goals Summary

AP-35 Projects - 91.420, 91.220(d)

Introduction

| Project Name: | CDBG Administration | | | | |
|--------------------------|-----------------------------------|-------------------------|-------------------------|--|--|
| Description: | Manage and monitor the CDBG grant | | | | |
| Address: | 351 West Center, Provo, UT | Γ 84601 | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 1 | | |
| HUD Matrix Code | 21A General Program Adm | inistration 570.206 | • | | |
| Priority Need | Planning/Administration | | | | |
| Objective: | Decent Housing | Suitable Living 🗵 | Economic Opportunity | | |
| | | Environment | | | |
| | Increase the supply of affor | dable housing; Increas | se the quality of | | |
| Specific Objective: | affordable housing; Improv | ve access to affordable | rental housing; Improve | | |
| • | the quality of owner housir | ng; Increase range and | related services for | | |
| | persons with special needs | | | | |
| Outcome: | Availability/Accessibility [| ☐ Affordability ☐ | Sustainability 🗵 | | |
| Funding Source: | CDBG ⊠ | HOME □ | | | |
| Amount: | \$241,202.00 | | | | |
| Proposed Accomplishment: | Number: Type: | | | | |
| | | | | | |

| Project Name: | CDBG: Affiliated Family Treatment Center | | | | |
|---------------------------|--|-------------|---------------|--------------------------|--|
| Description: | Funding will be used to pr | ovide thera | py for victim | is of neglect and abuse. | |
| Address: | 313 East 1200 South, Suit | e 104, Orem | , UT 84058 | | |
| Expected Completion: | 6/30/2017 | II | OIS Project# | 2 | |
| HUD Matrix Code | 05G Battered and Abused | Spouses 57 | 0.201(e) | | |
| Priority Need | Public Services | | | | |
| Objective: | Decent Housing ☐ Suitable Living ☒ Economic Opportunity | | | | |
| | Environment \Box | | | | |
| | Increase the supply of affordable housing; Increase the quality of | | | | |
| Specific Objective: | affordable housing; Improve access to affordable rental housing; Improve | | | | |
| | the quality of owner hous persons with special need | _ | e range and | related services for | |
| Outcome: | Availability/Accessibility | ⊠ Affor | dability 🗆 | Sustainability | |
| Funding Source: | CDBG ⊠ | • | номе 🗆 | | |
| Amount: | \$16,779.00 | | | | |
| Proposed Accomplishment: | Number: 5 Type: People | | | | |
| 1 Toposcu Accomplishment. | Туре: | | | | |
| Project Name: | CDBG: Center for Women and Children in Crisis | | | | |

| Description: | Funds will be used to provide on-going staff to sustain emergency sheltering and crisis intervention for victims of domestic violence | | | | |
|--------------------------|---|---------------------------|--------------|--------------------------|--|
| Address: | Shelter address is not availa | able for pu | blic knowled | lge | |
| Expected Completion: | 6/30/2017 | II | OIS Project# | 3 | |
| HUD Matrix Code | 05G Battered and Abused S | pouses 57 | 0.201(e) | | |
| Priority Need | | | | | |
| Objective: | Decent Housing ☐ Suitable Living ☒ Economic Oppor | | | | |
| | | Environr | nent | | |
| Specific Objective: | Increase the supply of affor affordable housing; Improve the quality of owner housing persons with special needs. | e access to g; Increas | affordable r | rental housing; Improve | |
| Outcome: | Availability/Accessibility | Affore | dability 🗆 | Sustainability \square | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$17,828.00 | | | | |
| Proposed Accomplishment: | Number: 30 Type: People | | | | |

| Project Name: | CDBG: Children's Justice Center, Utah County | | | | | |
|--------------------------|--|-------------------------|------------------------|--|--|--|
| Description: | Funds will be used to assist and provide therapy to children which are victims of abuse. | | | | | |
| Address: | 315 South 100 East, Provo, UT | 84606 | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 4 | | | |
| HUD Matrix Code | 05N Abused and Neglected Chi | dren 570.201(e) | | | | |
| Priority Need | Public Services | | | | | |
| Objective: | Decent Housing □ Suitable Living ⊠ Economic Opportunity □ | | | | | |
| Specific Objective: | Increase the supply of afford affordable housing; Improve the quality of owner housing persons with special needs. | access to affordable r | ental housing; Improve | | | |
| Outcome: | Availability/Accessibility 🗵 | Affordability \square | Sustainability | | | |
| Funding Source: | CDBG ⋈ HOME □ | | | | | |
| Amount: | \$18,877.00 | | | | | |
| Proposed Accomplishment: | Number: 10 | | Type: People | | | |

| Project Name: | CDBG: Community Action Services: Food Bank | | | | | |
|--------------------------|---|---|--------------------------|--|--|--|
| Description: | 1 0 | Funds will be used for program delivery costs associated with providing first-time homebuyer, mortgage default and predatory counseling | | | | |
| Address: | 815 South Freedom Boulevard | d, Provo, UT 84601 | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 5 | | | |
| HUD Matrix Code | 05 Public Services (General) 5 | 70.201(e) | - | | | |
| Priority Need | Public Services | | | | | |
| Objective: | Decent Housing □ Suitable Living ⊠ Economic Opportunity □ | | | | | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | | |
| Outcome: | Availability/Accessibility | ☑ Affordability □ | Sustainability \square | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | | |
| Amount: | \$12,584.00 | | | | | |
| Proposed Accomplishment: | Number: 10 | | Type: People | | | |

| Project Name: | CDBG: Community Health Connect | | | | | |
|--------------------------|---|---|--------------------------|--|--|--|
| Description: | Funds will be used to improve or residents | Funds will be used to improve dental and medical care for LMI uninsured Provo residents | | | | |
| Address: | 589 South State, Provo, UT 8460 | 06 | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 6 | | | |
| HUD Matrix Code | 05M Health Services 570.201(e | | | | | |
| Priority Need | Public Services | | | | | |
| Objective: | Decent Housing □ Suitable Living ⊠ Economic Opportunity □ | | | | | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | | |
| Outcome: | Availability/Accessibility 🗵 | Affordability \square | Sustainability \square | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | | |
| Amount: | \$9,438.00 | | | | | |
| Proposed Accomplishment: | Number: 12 | Number: 12 Type: People | | | | |

| Project Name: | CDBG: Friends of the Coalition | | | | | |
|--------------------------|---|---|----------------|--|--|--|
| Description: | Funds will be used for costs as persons. | Funds will be used for costs associated with providing meals to homeless and LMI persons. | | | | |
| Address: | 299 East 900 South, Provo, UT | 84606 | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 7 | | | |
| HUD Matrix Code | 05N Public Services (General) | 570.201(e) | - | | | |
| Priority Need | Public Services | | | | | |
| Objective: | Decent Housing □ Suitable Living ⊠ Economic Opportunity □ | | | | | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | | |
| Outcome: | Availability/Accessibility | Affordability 🗵 | Sustainability | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | | |
| Amount: | \$8,390.00 | | | | | |
| Proposed Accomplishment: | Number: 20 Type: People | | | | | |

| Project Name: | CDBG: House Of Hope | | | | |
|----------------------|--|--|--|--|--|
| Description: | Funds will be used for eligible costs associated with the delivery of a children's program supervisor to oversee and direct the therapeutic child program, parentchild counseling, parenting classes, supervise staff, counselors, and therapists that work with children whose mothers are receiving substance-abuse treatment at the facility. | | | | |
| Address: | 1726 Buckley Lane, Provo, Utah 84606 | | | | |
| Expected Completion: | 6/30/2017 IDIS Project# 8 | | | | |
| HUD Matrix Code | 05D Youth Services 570.201(e) | | | | |
| Priority Need | Public Services | | | | |
| Objective: | Decent Housing □ Suitable Living ⊠ Economic Opportunity | | | | |

| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
|--------------------------|---|--|--|--|--|
| Outcome: | Availability/Accessibility Affordability Sustainability | | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$8,652.00 | | | | |
| Proposed Accomplishment: | Number: 8 Type: People | | | | |

| Project Name: | CDBG: Mountainlands Community Health Center | | | | |
|--------------------------|---|------|------------------|----------------------|--|
| Description: | Funds will be used to provide discounted medical and dental care to LIM Provo residents. | | | | |
| Address: | 589 South State, Provo, UT 84 | 1606 | | | |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 9 | |
| HUD Matrix Code | 05M Health Services 570.201 | (e) | | | |
| Priority Need | Public Services | | | | |
| Objective: | Decent Housing | Su | iitable Living 🛚 | Economic Opportunity | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
| Outcome: | Availability/Accessibility 🗵 Affordability 🗆 Sustainability 🗆 | | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$13,633.00 | | | | |
| Proposed Accomplishment: | Number: 10 Type: People | | | | |

| Project Name: | CDBG: People Helping | CDBG: People Helping People | | | | |
|----------------------|--|---|----------------------|--|--|--|
| Description: | Funds will be used to teach lo remain successfully employe | Funds will be used to teach low-income women to become gainfully employed and remain successfully employed. | | | | |
| Address: | 748 North 1200 West, Orem, | 748 North 1200 West, Orem, UT 84058 | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# 10 | | | | |
| HUD Matrix Code | 05H Employment Training 5 | 05H Employment Training 570.201(e) | | | | |
| Priority Need | Public Services | | | | | |
| Objective: | Decent Housing | Suitable Living 🗵 | Economic Opportunity | | | |

| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
|--------------------------|---|--|--|--|--|
| Outcome: | Availability/Accessibility $oximes$ Affordability $oximes$ Sustainability $oximes$ | | | | |
| Funding Source: | CDBG ⋈ HOME □ | | | | |
| Amount: | \$6,292.00 | | | | |
| Proposed Accomplishment: | Number: 15 Type: People | | | | |

| Project Name: | CDBG: Project Read | | | |
|--------------------------|---|--------|-----------------------|----------------------|
| Description: | Funds will be used to create a tutor lab. The lab will teach life skills (i.e. time management, basic computer skills, study organization, job skills, interviewing, writing resumes, etc. | | | |
| Address: | 550 North University Avenue | , Suit | te 215, Provo, UT 846 | 06 |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 11 |
| HUD Matrix Code | 05H Employment Training 57 | 70.20 | 1(e) | |
| Priority Need | Public Services | | | |
| Objective: | Decent Housing | Su | iitable Living 🛚 | Economic Opportunity |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | |
| Outcome: | Availability/Accessibility 🖂 Affordability 🖂 Sustainability 🗆 | | | |
| Funding Source: | CDBG ⋈ HOME □ | | | |
| Amount: | \$5,244.00 | | | |
| Proposed Accomplishment: | Number: 5 | | | Type: People |

| Project Name: | CDBG: Provo City Police Victim Services | | | | |
|----------------------|---|----------------------------|--|--|--|
| Description: | Funds will be used for program delivery for services offered to victim of domestic violence or abuse. | | | | |
| Address: | 351 West Center, Provo, UT 84601 | | | | |
| Expected Completion: | 6/30/2017 | 6/30/2017 IDIS Project# 12 | | | |
| HUD Matrix Code | 05G Battered and Abused Spouses | | | | |
| Priority Need | Public Services | Public Services | | | |

| Objective: | Decent Housing | Suitable Living 🗵 | Economic Opportunity | |
|--------------------------|---|-------------------|----------------------|--|
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | |
| Outcome: | Availability/Accessibility D | Sustainability | | |
| Funding Source: | CDBG ⊠ | | | |
| Amount: | \$21,236.00 | | | |
| Proposed Accomplishment: | Number: 10 Type: People | | | |

| Project Name: | CDBG: Recreation and Habilitation Services (RAH) | | | |
|--------------------------|---|-------|------------------|----------------------|
| Description: | Funds will be used to provide educational and recreational opportunities to persons with disabilities to improve the lives of disabled individuals through the PEOPLE (People Enhancing Other People's Lives Experience) Program. | | | |
| Address: | 815 North 800 West, Provo, | UT 84 | 1601 | |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 13 |
| HUD Matrix Code | 05B Handicapped Services 5 | 70.20 | 1(e) | |
| Priority Need | Public Services | | | |
| Objective: | Decent Housing | Su | iitable Living 🛛 | Economic Opportunity |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | |
| Outcome: | Availability/Accessibility \(\text{\Bar} \) Affordability \(\text{\Bar} \) Sustainability \(\text{\Bar} \) | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | |
| Amount: | \$20,974.00 | | | |
| Proposed Accomplishment: | Number: 10 Type: People | | | |

| Project Name: | CDBG: Rocky Mtn. Univ. of Health Professions: Physical Therapy | | | | |
|----------------------|---|--|--|--|--|
| Description: | Funds will be used to provide physical therapy to low- and moderate-income individuals. | | | | |
| Address: | 122 East 1700 South, Provo, UT 84606 | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# 15 | | | |
| HUD Matrix Code | 06 Interim Assistance 570.201(e) | | | | |
| Priority Need | Public Services | | | | |
| Objective: | Decent Housing | Suitable Living 🗵 Economic Opportunity | | | |

| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
|--------------------------|---|--|--|--|--|
| Outcome: | Availability/Accessibility 🛛 Affordability 🗆 Sustainability 🗆 | | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$10,487.00 | | | | |
| Proposed Accomplishment: | Number: 20 Type: Households | | | | |

| Project Name: | CDBG: Teens Act | | | |
|--------------------------|---|----------------------|-------------|------------------------|
| Description: | Funding will be used for program delivery to administer a mentoring program to low- and moderate-income high school students. Focus on mentoring minority populations. | | | |
| Address: | 379 North University Avenue | Suite 301, Provo, UT | Г 8460 | 1 |
| Expected Completion: | 6/30/2017 | IDIS Proj | ect# | 15 |
| HUD Matrix Code | 17C CI Building Acquisition, C | onstruction, Rehabil | itation | 570.203(a) |
| Priority Need | Public Services | | | |
| Objective: | Decent Housing | Suitable Living | \boxtimes | Economic Opportunity 🗆 |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | |
| Outcome: | Availability/Accessibility | | | Sustainability 🗵 |
| Funding Source: | CDBG ⊠ HOME □ | | | |
| Amount: | \$10,487.00 | | | |
| Proposed Accomplishment: | Number: 3 Type: Businesses | | | |

| Project Name: | CDBG: Alpine House-Building Rehabilitation | | | | |
|----------------------|---|--|--|--|--|
| Description: | Funding will be used to rehabilitate Alpine House, which houses the returning | | | | |
| | mental health patient from inpatient status to life in the community and provide transitional housing as they work on various phases of rehabilitation. | | | | |
| Address: | 156 South 300 West, Provo | 156 South 300 West, Provo, Utah, 84601 | | | |
| Expected Completion: | 6/30/2017 IDIS Project# 16 | | | | |
| HUD Matrix Code | 14A Rehab: Single-unit Residential | | | | |
| Priority Need | Public Facilities | Public Facilities | | | |

| Objective: | Decent Housing 🛛 | Suitable Living $\ \square$ | Economic Opportunity | | |
|--------------------------|---|--|----------------------|--|--|
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
| Outcome: | Availability/Accessibility | Availability/Accessibility Affordability | | | |
| Funding Source: | CDBG ⊠ | | | | |
| Amount: | \$10,000.00 | | | | |
| Proposed Accomplishment: | Number: 1 Type: Public Facilities | | | | |

| Project Name: | CDBG: Commercial Façade Renovation and Rehabilitation | | | | |
|--------------------------|---|------------------|---------------|------------------------|--|
| Description: | Funds will be used to provide grants for commercial façade renovation and program delivery | | | | |
| Address: | 351 West Center, Provo, UT 8 | 4601 | | | |
| Expected Completion: | 6/30/2016 | IDI | S Project# | 18 | |
| HUD Matrix Code | 17C CI Building Acquisition, (| onstruction, R | ehabilitation | 570.203(a) | |
| Priority Need | Affordable Housing | | | | |
| Objective: | Decent Housing | Suitable Li | ving 🗆 | Economic Opportunity 🗵 | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
| Outcome: | Availability/Accessibility | Sustainability 🗵 | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$50,000.00 | | | | |
| Proposed Accomplishment: | Number: 1 Type: Housing Units | | | | |

| Project Name: | CDBG: Center for Women & Children-Building Rehabilitation | | | | | |
|----------------------|---|--|--|--|--|--|
| Description: | Funding will be used to rehabilitate transitional housing provided to battered spouses and their children | | | | | |
| Address: | Shelter address not disclosed to the general public | | | | | |
| Expected Completion: | 6/30/2016 IDIS Project# 17 | | | | | |
| HUD Matrix Code | 14A Rehab: Single-unit Residential | | | | | |
| Priority Need | Affordable Housing | | | | | |
| Objective: | Decent Housing 🗵 | Suitable Living Economic Opportunity | | | | |

| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
|--------------------------|---|------------------|--|--|--|
| Outcome: | Availability/Accessibility \square | Sustainability 🗵 | | | |
| Funding Source: | CDBG ⋈ HOME □ | | | | |
| Amount: | \$63,000.00 | | | | |
| Proposed Accomplishment: | Number: 1 Type: Businesses | | | | |

| Project Name: | CDBG: Egress Window Program | | | | | |
|--------------------------|---|---|-----------------|----------------------|--|--|
| Description: | | Funds will be used to provide egress windows for low-moderate income home owners of single-family residential properties within The City of Provo | | | | |
| Address: | 351 West Center Street, Prov | o, UT | 84601 | | | |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 19 | | |
| HUD Matrix Code | 14A Rehab: Single-unit Resid | ential | | | | |
| Priority Need | Affordable Housing | | | | | |
| Objective: | Decent Housing ⊠ | Sui | itable Living 🛚 | Economic Opportunity | | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | | |
| Outcome: | Availability/Accessibility | Availability/Accessibility □ Affordability ⊠ | | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | | |
| Amount: | \$100,000.00 | | | | | |
| Proposed Accomplishment: | Number: 25 Type: Housing Units | | | | | |

| Project Name: | CDBG: 200 East Bike Path | | | | | |
|----------------------|---|--|--|--|--|--|
| Description: | Funds will be used for street and sidewalk upgrades | | | | | |
| Address: | Maser Neighborhood | | | | | |
| Expected Completion: | 6/30/2017 | /30/2017 IDIS Project# 20 | | | | |
| HUD Matrix Code | 03K Street Improvements | 03K Street Improvements | | | | |
| Priority Need | Public Facilities | | | | | |
| Objective: | Decent Housing | ecent Housing \square Suitable Living \boxtimes Economic Opportunity \square | | | | |

| | Increase the supply of affordable housing; Increase the quality of | | | | |
|--------------------------|--|----------------------|--------------------|--|--|
| Specific Objective: | affordable housing; Improve access to affordable rental housing; Improve | | | | |
| | the quality of owner housing; I | ncrease range and re | lated services for | | |
| | persons with special needs. | | | | |
| Outcome: | Availability/Accessibility | | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$470,310 | | | | |
| Proposed Accomplishment: | Number: 7 Type: Housing Units | | | | |

| Project Name: | CDBG: Neighborhood Sidewalks and Gutter | | | | |
|--------------------------|---|----------------------------|----------------------|-----------------------------|--|
| Description: | Funds will be used for street a North | nd s | idewalk upgrade on 4 | 00 W from Center St. to 100 | |
| Address: | Maser Neighborhood | | | | |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 21 | |
| HUD Matrix Code | 03K Street Improvements | | | | |
| Priority Need | Public Facilities | | | | |
| Objective: | Decent Housing □ Suitable Living ⊠ Economic Opportunity | | | | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
| Outcome: | Availability/Accessibility | Availability/Accessibility | | | |
| Funding Source: | CDBG ⊠ HOME □ | | | | |
| Amount: | \$154,600 | | | | |
| Proposed Accomplishment: | Number: 1 Type: Public Facilities | | | | |

| Project Name: | HOME: Administration—Utah Valley HOME Consortium | | | | | |
|----------------------|---|--|--|--|--|--|
| Description: | Funds will be used to cover administration costs to administer the HOME program and activities for the Utah Valley HOME Consortium. | | | | | |
| Address: | 351 West Center Street, Provo, UT 84601 | | | | | |
| Expected Completion: | 6/30/2017 | IDIS Project# 22 | | | | |
| HUD Matrix Code | 19A HOME Admin/Planning Costs of PJ (not part of 5%Ad) | | | | | |
| Priority Need | Planning/Administration | | | | | |
| Objective: | Decent Housing | Suitable Living Economic Opportunity | | | | |

| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | |
|--------------------------|---|--|--|--|--|
| Outcome: | Availability/Accessibility | | | | |
| Funding Source: | CDBG □ HOME ⊠ | | | | |
| Amount: | \$57,933.00 | | | | |
| Proposed Accomplishment: | Number: Type: | | | | |

| Project Name: | HOME: Administration—The City of Provo | | | | | |
|--------------------------|---|---|-----------------|----------------------|--|--|
| Description: | | Funds will be used to cover administration costs to administer the HOME program and activities for The City of Provo. | | | | |
| Address: | 351 West Center Street, Prov | o, UT 8460 | 1 | | | |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 27 | | |
| HUD Matrix Code | 19A HOME Admin/Planning | Costs of PJ (| (not part of 5% | Ad) | | |
| Priority Need | Planning/Administration | | | | | |
| Objective: | Decent Housing | Suitable | e Living 🗆 | Economic Opportunity | | |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | | | |
| Outcome: | Availability/Accessibility Affordability | | | Sustainability | | |
| Funding Source: | CDBG □ | | | | | |
| Amount: | \$47,400.00 | | | | | |
| Proposed Accomplishment: | Number: Type: | | | Type: | | |

| Project Name: | HOME: Re-Entry Assistance Program (ReAP)—TBRA | | | |
|----------------------|---|--|----------------------|--|
| Description: | | Funds will be allocated to Golden Spike Outreach to provide tenant-based rental assistance for ReAP to qualified beneficiaries with Consortium boundaries. | | |
| | • | | soruum boundaries. | |
| Address: | 1537 West Saxon Circle, Spr | 1537 West Saxon Circle, Springville, UT 84663 | | |
| Expected Completion: | 6/30/2017 | IDIS Project# 28 | | |
| HUD Matrix Code | 31F Tenant Based Rental As | 31F Tenant Based Rental Assistance | | |
| Priority Need | Affordable Housing | | | |
| Objective: | Decent Housing 🛛 | Suitable Living | Economic Opportunity | |

| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | |
|--------------------------|---|-----------------|----------------|
| Outcome: | Availability/Accessibility | Affordability 🗵 | Sustainability |
| Funding Source: | CDBG □ | номе 🗵 | |
| Amount: | \$35,000.00 | | |
| Proposed Accomplishment: | Number: 20 Type: People | | |

| Project Name: | HOME: Loan-To-Own Down Payment Assistance Program-UVHC | | |
|--------------------------|---|-------------------|--------------------------|
| Description: | Funds will be used to provide DPA to eligible beneficiaries within Consortium boundaries, and to administer the LTO Program. | | |
| Address: | 351 West Center Street, Provo, | UT 84601 | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 29 |
| HUD Matrix Code | 13 Direct Homeownership Assi | stance 570.201(n) | |
| Priority Need | Affordable Housing | | |
| Objective: | Decent Housing 🛛 | Suitable Living | Economic Opportunity |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | |
| Outcome: | Availability/Accessibility | ☐ Affordability ⊠ | Sustainability \square |
| Funding Source: | CDBG □ | HOME ⊠ | |
| Amount: | \$400,000.00 | | |
| Proposed Accomplishment: | Number: 40 Type: Housing Units | | |

| Project Name: | HOME-CHDO: Habita | HOME-CHDO: Habitat for Humanity of Utah County (HFHUC) | | |
|----------------------|---------------------------------------|--|----|--|
| Description: | Funds will be allocated to I | Funds will be allocated to HFHUC for the construction of new affordable housing in | | |
| Description. | conjunction with the Provo | conjunction with the Provo City Housing Authority-sponsored CROWN Program at | | |
| | approximately 500 West 50 | 00 South, Provo, UT. | | |
| Address: | 340 South Orem Boulevard | 340 South Orem Boulevard, Orem, UT 84058 | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 30 | |
| HUD Matrix Code | 12 Construction of Housing 570.201(m) | | | |
| Priority Need | Affordable Housing | Affordable Housing | | |

| Objective: | Decent Housing 🛛 | Suitable Living $\ \square$ | Economic Opportunity |
|--------------------------|---|-----------------------------|----------------------|
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | |
| Outcome: | Availability/Accessibility | ☐ Affordability ⊠ | Sustainability |
| Funding Source: | CDBG □ | HOME ⊠ | |
| Amount: | \$158,000.00 | | |
| Proposed Accomplishment: | Number: 1 Type: Housing Units | | |

| Project Name: | HOME: Habitat for Humanity of Utah County (HFHUC) | | | |
|--------------------------|---|-------|--------------------------|----------------------|
| Description: | Funds will be allocated to HFHUC for the construction of new affordable housing in conjunction with the Provo City Housing Authority-sponsored CROWN Program at approximately 500 West 500 South, Provo, UT | | | |
| Address: | 340 South Orem Boulevard, O |)rem, | , UT 84058 | |
| Expected Completion: | 6/30/2017 | | IDIS Project# | 31 |
| HUD Matrix Code | 12 Construction of Housing 5 | 70.20 | 01(m) | |
| Priority Need | Affordable Housing | | | |
| Objective: | Decent Housing ⊠ | Su | iitable Living 🛚 | Economic Opportunity |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | | |
| Outcome: | Availability/Accessibility | | Sustainability \square | |
| Funding Source: | CDBG □ | | HOME ⊠ | |
| Amount: | \$42,000 | | | |
| Proposed Accomplishment: | Number: 1 Type: | | | |

| Project Name: | HOME-CHDO: Rural | HOME-CHDO: Rural Housing Development Corp. (RHDC) | | |
|----------------------|--|--|----|--|
| Description: | | Funds will be allocated to RHDC for the purchase and improvement of lots sold to families qualified for the Mutual-Self-Help Program for the construction of new affordable housing. | | |
| Address: | 709 North 189 West, #39, | 709 North 189 West, #39, Provo, UT 84601 | | |
| Expected Completion: | 6/30/2016 | IDIS Project# | 32 | |
| HUD Matrix Code | 01 Acquisition of Real Property 570.201(a) | | | |
| Priority Need | Affordable Housing | Affordable Housing | | |

| Objective: | Decent Housing 🗵 | Suitable Living | Economic Opportunity |
|--------------------------|---|-------------------|----------------------|
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | |
| Outcome: | Availability/Accessibility | ☐ Affordability ⊠ | Sustainability |
| Funding Source: | CDBG □ | HOME ⊠ | |
| Amount: | \$50,456.00 | | |
| Proposed Accomplishment: | Number: 1 Type: Housing Units | | |

| Project Name: | HOME: Housing Authority of Utah County (HAUC) | | |
|--------------------------|---|-------------------|----------------------|
| Description: | Funds will be allocated to HAUC to administer an owner-occupied rehabilitation program | | |
| Address: | 240 East Center Street, Provo | UT 84606 | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 33 |
| HUD Matrix Code | 14A Rehab: Single-unit Reside | ential | |
| Priority Need | Affordable Housing | | |
| Objective: | Decent Housing 🛛 | Suitable Living | Economic Opportunity |
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | |
| Outcome: | Availability/Accessibility | ☐ Affordability ⊠ | Sustainability |
| Funding Source: | CDBG □ | HOME ⊠ | |
| Amount: | \$50,000.00 | | |
| Proposed Accomplishment: | Number: 2 Type: Housing Units | | |

| Project Name: | HOME: Housing Auth | HOME: Housing Authority of Utah County (HAUC) | | |
|----------------------|------------------------------|---|----|--|
| Description: | Funds will be allocated to I | Funds will be allocated to HAUC for the construction of new rental housing in | | |
| | American Fork—Pacific Dr. | Project. | | |
| Address: | 240 East Center Street, Pro | 240 East Center Street, Provo, UT 84606 | | |
| Expected Completion: | 6/30/2017 | IDIS Project# | 34 | |
| HUD Matrix Code | 12 Construction of Housing | 12 Construction of Housing 570.201(m) | | |
| Priority Need | Affordable Housing | | | |

| Objective: | Decent Housing 🗵 | Suitable Living $\ \square$ | Economic Opportunity \Box |
|--------------------------|---|-----------------------------|-----------------------------|
| Specific Objective: | Increase the supply of affordable housing; Increase the quality of affordable housing; Improve access to affordable rental housing; Improve the quality of owner housing; Increase range and related services for persons with special needs. | | |
| Outcome: | Availability/Accessibility | ☐ Affordability ⊠ | Sustainability |
| Funding Source: | CDBG □ | HOME ⊠ | |
| Amount: | \$377,304.00 | | |
| Proposed Accomplishment: | Number: 15 Type: Housing Units | | |

Table 9 Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs.

As entitlement funding decreased considerably over the past decade, the RDA is taking a strategic approach to direct funding. Priorities include expanding affordable housing opportunities throughout the Consortium, providing critical services for the most vulnerable residents, expanding self-sufficiency for at-risk populations, and improving neighborhood conditions in concentrated areas of poverty.

AP-38 Project Summary

Project Summary Information

| 1 | Project Name | CDBG: Manage and Monitor CDBG Grant |
|---|---|---|
| | - | CDBG. Manage and Monitor CDBG Grant |
| | Target Area | |
| | Goals Supported | Homeowner/Homebuyer Affordability Rental Housing Affordability Public Facilities Public Services |
| | | Stimulate Economic Growth |
| | Needs Addressed | Affordable Housing Suitable Living Environments Economic Development Public Services Public Facilities |
| | Funding | CDBG: \$241,202 |
| | Description | CDBG Administration budgets are determined by 20% of the Entitlement. Redevelopment Agency staff personnel and overhead costs to administer the CDBG and HOME programs. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | Funds will be used for the administration of CDBG and HOME programs |
| | Location Description | 351 West Center Street, Provo, UT, 84601 |
| | Planned Activities | |
| 2 | Project Name | CDBG: Affiliated Family Treatment Center |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$16,779 |
| | Description | Funds will be used to provide therapy for victims of neglect and abuse |
| | Target Date | 6/30/2017 |

| | Estimate the number and type of families that will benefit from the proposed activities | It's anticipated that the center will assist a minimum of five individuals. |
|---|---|--|
| | Location Description | |
| | Planned Activities | |
| 3 | Project Name | CDBG: Center for Women and Children in Crisis |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$17,828 |
| | Description | Funds will be used to provide on-going staff support to sustain emergency sheltering and crisis intervention for victims of domestic violence. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | The Center plans to assist about 30 individuals |
| | Location Description | |
| | Planned Activities | Funds will be used to provide on-going staff support to sustain emergency sheltering and crisis intervention for victims of domestic violence. |
| 4 | Project Name | CDBG: Children's Justice Center, Utah County |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$18,877 |
| | Description | Funds will be used to assist and provide therapy to children who are victims of abuse. |
| | Target Date | 6/30/2017 |

| | Estimate the number and type of families that will benefit from the proposed activities | The Center plans to assist about 15 children |
|---|---|---|
| | Location Description | 315 South 100 East, Provo, Utah, 84606 |
| | Planned Activities | Funds will be used to assist and provide therapy to children who are victims of abuse. |
| 5 | Project Name | CDBG: Community Action Services: Food Bank |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$12,584 |
| | Description | Funds will be used for program delivery costs associated with providing emergency food assistance to individuals and families in the City of Provo. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | The Food Bank anticipates serving 30 people |
| | Location Description | 815 S Freedom Blvd Ste. 100, Provo, Utah, 84601 |
| | Planned Activities | |
| 6 | Project Name | CDBG: Community Health Connect |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$9,438 |
| | Description | Funds will be used to improve dental and medical care access for LMI uninsured Provo residents. |
| | Target Date | 6/30/2017 |

| | Estimate the number and type of families that will benefit from the proposed activities | The clinic anticipates serving 10 individuals |
|---|---|---|
| | Location Description | 591 South State St., Provo, Utah, 84606 |
| | Planned Activities | Funds will be used to improve dental and medical care access for LMI uninsured Provo residents. |
| 7 | Project Name | CDBG: Friends of the Coalition |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$8,390 |
| | Description | Funds will be used for costs associated with providing meals to homeless persons. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | The agency anticipates to serve 10 individuals |
| | Location Description | 299 E 900 S, Provo, UT 84606 |
| | Planned Activities | Funds will be used for costs associated with providing meals to homeless persons. |
| 8 | Project Name | CDBG: House of Hope |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$8,652 |
| | Description | Funds will be used for eligible costs associated with the delivery of a children's program supervisor to oversee and direct the therapeutic child program, parent-child counseling, parenting classes, supervise staff, counselors and therapists that work with children whose mothers are receiving substance use disorder treatment at the facility. |

| | Target Date | 6/30/2017 |
|----|---|---|
| | Estimate the number and type of families that will benefit from the proposed activities | 10 |
| | Location Description | 1726 Buckley Ln, Provo, Utah, 84606 |
| | Planned Activities | Funds will be used for eligible costs associated with the delivery of a children's program supervisor to oversee and direct the therapeutic child program, parent-child counseling, parenting classes, supervise staff, counselors and therapists that work with children whose mothers are receiving substance use disorder treatment at the facility. |
| 9 | Project Name | CDBG: Mountainland Community Health Center |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$13,633 |
| | Description | Funds will be used to provide discounted medical and dental care to LMI residents. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | 10 |
| | Location Description | 589 South State St. Provo, Utah, 84606 |
| | Planned Activities | Funds will be used to provide discounted medical and dental care to LMI residents. |
| 10 | Project Name | CDBG: People Helping People |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$6,292 |

| | Description | Funds will be used to teach low-income women to become gainfully employed and remain successfully employed. |
|----|---|--|
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | 10 |
| | Location Description | 748 North 1300 East, Orem, UT 84057 |
| | Planned Activities | Funds will be used to teach low-income women to become gainfully employed and remain successfully employed. |
| 11 | Project Name | CDBG: Project Read |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$5,244 |
| | Description | Funds will be used to create a tutor lab to teach life skills to LMI individuals. I.e. time management, basic computer skills, study organization, job skills, interviewing, writing resumes, etc. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | 10 people |
| | Location Description | 550 North University Ave., Provo, Utah, 84601 |
| | Planned Activities | Funds will be used to create a tutor lab to teach life skills to LMI individuals. I.e. time management, basic computer skills, study organization, job skills, interviewing, writing resumes, etc. |
| 12 | Project Name | CDBG: Provo City Police Victim Services |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$21,236 |

| | Description | Funds will be used for program delivery for services offered to victims of domestic violence and/or abuse. |
|----|---|---|
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | 20 |
| | Location Description | 351 West Center St. Provo, Utah, 84601 |
| | Planned Activities | Funds will be used for program delivery for services offered to victims of domestic violence and/or abuse. |
| 13 | Project Name | CDBG: Recreation and Habilitation Services |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$20,974 |
| | Description | Funds will be used to provide educational and recreational opportunities to persons with disabilities to improve the lives of disabled individuals through the PEOPLE (People Enhancing Other People's Lives Experience) Program. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | 20 |
| | Location Description | 815 North 800 West, Provo, Utah, 84604 |
| | Planned Activities | Funds will be used to provide educational and recreational opportunities to persons with disabilities to improve the lives of disabled individuals through the PEOPLE (People Enhancing Other People's Lives Experience) Program. |
| 14 | Project Name | CDBG: Rocky Mtn. Univ. of Health Professionals-Physical Therapy |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |

| | Funding | CDBG: \$10,487 |
|----|---|---|
| | Description | Funds will be used to provide educational and recreational opportunities to persons with disabilities to improve the lives of disabled individuals through the PEOPLE (People Enhancing Other People's Lives Experience) Program. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | 10 |
| | Location Description | 122 East 1700 South, Provo, Utah, 84606 |
| | Planned Activities | Funds will be used to provide educational and recreational opportunities to persons with disabilities to improve the lives of disabled individuals through the PEOPLE (People Enhancing Other People's Lives Experience) Program. |
| 15 | Project Name | CDBG: Teens Act |
| | Target Area | |
| | Goals Supported | Public Services |
| | Needs Addressed | Suitable Living Environments Public Services |
| | Funding | CDBG: \$10,487 |
| | Description | Funding will be used for program delivery to administer a mentoring program to low- and moderate-income high school students. Focus on mentoring minority populations. |
| | Target Date | 6/30/2016 |
| | Estimate the number and type of families that will benefit from the proposed activities | 5 |
| | Location Description | 379 North University Ave. #301, Provo, Utah, 84601 |
| | Planned Activities | |
| 16 | Project Name | CDBG: Alpine House-Building Rehabilitation |
| | Target Area | |
| | Goals Supported | Rental Housing Affordability |

| | Needs Addressed | Affordable Housing |
|----|---|---|
| | Funding | CDBG: \$61,121 |
| | Description | Funding will be used to rehabilitate Alpine House, which houses the returning mental health patient from inpatient status to life in the community and provide transitional housing as they work on various phases of rehabilitation. |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | |
| | Location Description | 156 South 300 West, Provo, Utah, 84601 |
| | Planned Activities | |
| 17 | Project Name | CDBG: Center for Women and Children in Crisis-Building Rehabilitation |
| | Target Area | |
| | Goals Supported | Rental Housing Affordability |
| | Needs Addressed | Affordable Housing |
| | Funding | CDBG: \$63,000 |
| | Description | Funding will be used to rehabilitate transitional housing provided to battered spouses and their children |
| | Target Date | 6/30/2017 |
| | Estimate the number and type of families that will benefit from the proposed activities | |
| | Location Description | Shelter location not available for public knowledge |
| | Planned Activities | |
| 18 | Project Name | CDBG: Commercial Facade Renovation and Rehabilitation |
| | Target Area | |
| | Goals Supported | Stimulate Economic Growth |
| | Needs Addressed | Economic Development |
| | Funding | CDBG: \$61,121 |

| | Description | Funds will be used to provide grants for commercial facade renovation and program delivery. |
|----|---|--|
| | Target Date | 6/30/2016 |
| | Estimate the number and type of families that will benefit from the proposed activities | |
| | Location Description | Downtown Provo locations |
| | Planned Activities | |
| 19 | Project Name | CDBG: Egress Window Program |
| | Target Area | |
| | Goals Supported | Homeowner/Homebuyer Affordability |
| | Needs Addressed | Affordable Housing |
| | Funding | CDBG: \$100,000 |
| | Description | Funds will be used to provide assistance to install egress windows for low-income moderate income homeowners of single-family residential properties in The City of Provo. |
| | Target Date | 6/30/2018 |
| | Estimate the number and type of families that will benefit from the proposed activities | 25 |
| | Location Description | |
| | Planned Activities | Funds will be used to provide assistance to install egress windows for low-income moderate income homeowners of single-family residential properties in The City of Provo. |
| 20 | Project Name | CDBG: 200 East Bike-Path |
| | Target Area | |
| | Goals Supported | Public Facilities |
| | Needs Addressed | Public Facilities |
| | Funding | CDBG: \$470,310 |
| | Description | Funds will be used to design and construct a bikeway path in the Joaquin Neighborhood along 200 East |
| | Target Date | 6/30/2016 |

| | |
|---|---|
| stimate the number | |
| nd type of families | |
| nat will benefit from | |
| ne proposed activities | |
| ocation Description | |
| lanned Activities | |
| roject Name | CDBG: Neighborhood Sidewalks and Gutter |
| arget Area | |
| oals Supported | Public Facilities |
| leeds Addressed | Suitable Living Environments Public Facilities |
| unding | CDBG: \$154,600 |
| escription | Funds will be used for street and sidewalk upgrade on 400 W from Center St. to 100 North |
| arget Date | 6/30/2017 |
| stimate the number nd type of families nat will benefit from ne proposed activities | |
| ocation Description | 400 West block from Center St. to 100 North in Provo |
| lanned Activities | Funds will be used for street and sidewalk improvements. |
| roject Name | HOME: Administration-Utah Valley HOME Consortium |
| arget Area | |
| oals Supported | Homeowner/Homebuyer Affordability Rental Housing Affordability |
| eeds Addressed | Affordable Housing |
| unding | HOME: \$57,933 |
| escription | Funds will be used to pay for administration costs to administer the HOME program and activities for the Utah Valley HOME Consortium. |
| arget Date | 6/30/2017 |
| stimate the number nd type of families nat will benefit from | |
| nd typ nat wil | e of families |

| | Location Description | | | | |
|--|---|---|--|--|--|
| | Planned Activities | Funds will be used to pay for administration costs to administer the HOME program and activities for the Utah Valley HOME Consortium. | | | |
| 23 | Project Name | HOME: Administration-Provo City | | | |
| | Target Area | | | | |
| Goals Supported Homeowner/Homebuyer Affordability Rental Housing Affordability | | | | | |
| Needs Addressed Affordable Housing | | | | | |
| | Funding | HOME: \$47,428 | | | |
| | Description | Funds will be used to cover administration costs to administer the HOME program and activities for The City of Provo. | | | |
| | Target Date | 6/30/2016 | | | |
| | Estimate the number and type of families that will benefit from the proposed activities | | | | |
| | Location Description | | | | |
| | Planned Activities | Funds will be used to cover administration costs to administer the HOME program and activities for The City of Provo. | | | |
| 24 | Project Name | HOME: Re-Entry Assistance Program-TBRA | | | |
| | Target Area | | | | |
| | Goals Supported | Rental Housing Affordability | | | |
| | Needs Addressed | Affordable Housing Suitable Living Environments | | | |
| | Funding | HOME: \$35,000 | | | |
| | Description | Funds will be used to provide Tenant-Based-Rental-Assistance, facilitated through Golden Spike Outreach, for qualified beneficiaries living within Consortium boundaries. | | | |
| | Target Date | 6/30/2018 | | | |
| | Estimate the number and type of families that will benefit from the proposed activities | 10 | | | |
| | Location Description | | | | |

| | Planned Activities | Funds will be used to provide Tenant-Based-Rental-Assistance, facilitated through Golden Spike Outreach, for qualified beneficiaries living within Consortium boundaries. | | | |
|-----|---|---|--|--|--|
| 25 | Project Name | HOME: Loan-To-Own Down Payment Assistance Program | | | |
| | Target Area | | | | |
| | Goals Supported | Homeowner/Homebuyer Affordability | | | |
| | Needs Addressed | Affordable Housing | | | |
| | Funding | HOME: \$400,000 | | | |
| | Description | Funds will be allocated to the RDA of Provo to assist eligible families living within Consortium boundaries with downpayment assistance and closing costs loans. | | | |
| | Target Date | 6/30/2017 | | | |
| | Estimate the number and type of families that will benefit from the proposed activities | | | | |
| | Location Description | | | | |
| | Planned Activities | Funds will be allocated to the RDA of Provo to assist eligible families living within Consortium boundaries with downpayment assistance and closing costs loans. | | | |
| 26 | Project Name | HOME: Habitat for Humanity of Utah County | | | |
| | Target Area | | | | |
| | Goals Supported | Homeowner/Homebuyer Affordability | | | |
| | Needs Addressed | Affordable Housing | | | |
| | Funding | HOME: \$200,000 | | | |
| | Description | | | | |
| | Target Date | 12/31/2018 | | | |
| | Estimate the number and type of families that will benefit from the proposed activities Location Description | | | | |
| i . | | | | | |

| | Planned Activities | Funds will be used for land acquisition and development of the property located at about 558 East 300 South in Provo to construct three new HOME units. | | |
|----|---|---|--|--|
| 27 | Project Name HOME: HAUC-Rental Rehabilitation | | | |
| | Target Area | | | |
| | Goals Supported | Homeowner/Homebuyer Affordability | | |
| | Needs Addressed | Affordable Housing | | |
| | Funding | HOME: \$308,950 | | |
| | Description | Funds will be allocated to the Housing Authority of Utah County to administer an owner-occupied rehabilitation program within Consortium boundaries, providing loans to eligible and qualified home owners. | | |
| | Target Date | 6/30/2018 | | |
| | Estimate the number and type of families that will benefit from the proposed activities | | | |
| | Location Description | | | |
| | Planned Activities | | | |
| 28 | Project Name | HOME: HAUC-Payson Supportive Housing Project | | |
| | Target Area | | | |
| | Goals Supported | Rental Housing Affordability | | |
| | Needs Addressed | Affordable Housing | | |
| | Funding | HOME: \$377,304 | | |
| | Description | | | |
| | Target Date | 6/30/2019 | | |
| | Estimate the number and type of families that will benefit from the proposed activities | | | |
| | Location Description | | | |
| | Planned Activities | | | |

AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

At this time neither The City of Provo nor the Consortium is establishing specific geographic areas of service

Geographic Distribution

| Target Area | Percentage of Funds | | |
|-------------|---------------------|--|--|
| | | | |

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

N/A

AFFORDABLE HOUSING

AP-55 Affordable Housing - 91.420, 91.220(g)

1. Introduction

Goals for program year affordable housing outcomes are indicated below.

| One Year Goals for the Number of Households to be Supported | | |
|--|----|--|
| Homeless | 10 | |
| Non-Homeless | 60 | |
| Special-Needs | 10 | |
| Total | 80 | |

Table 11 - One Year Goals for Affordable Housing by Support Requirement

| One Year Goals for the Number of Households Supported Through | | |
|--|----|--|
| Rental Assistance | 15 | |
| The Production of New Units | 10 | |
| Rehab of Existing Units | 5 | |
| Acquisition of Existing Units | 40 | |
| Total | 70 | |

Table 12 - One Year Goals for Affordable Housing by Support Type

2. Discussion

Housing activities will be supported through both CDBG and HOME and will provide subsidies for individuals and families ranging from 0% to 80% AMI. Activities will include tenant-based rental assistance, homeowner housing rehabilitation, and direct financial assistance for eligible homebuyers.

AP-60 Public Housing - 91.420, 91.220(h)

1. Introduction

The Housing Authority of Utah County and Provo City Housing Authority are responsible for managing the public housing inventory, developing new affordable housing units and administering the Section 8 voucher programs for Utah County and Provo City, respectively. They strive to provide affordable housing opportunities throughout their jurisdictions by developing new or rehabilitating existing housing that is safe, decent, sanitary and affordable—a place where an individual's income level or background cannot be identified by the neighborhood or housing in which they live.

2. Actions planned during the next year to address the needs to public housing

The Housing Authority of Utah County's construction for 31 units of senior housing in Springville is completed and is now looking to produce up to 50 permanent supportive housing units for disabled clients. HAUC continues to leverage funding to develop 26-40 units of senior housing in American Fork during 2016, pending funding. HAUC is actively looking for to develop/purchase additional 2 bedroom units throughout the county.

Provo City Housing Authority plans to look at additional LITHC developments and continue to actively provide property management to existing units keeping them well maintained

3. Actions to encourage public housing residents to become more involved in management and participate in homeownership

HAUC residents are invited to participate each year in a Resident Advisory Board where proposed policies are reviewed prior to implementation. HAUC has a resident currently serving on our Board of Commissioners. HAUC promotes self-sufficiency to all residents, to the extent they are able to achieve. Clients are referred to various agencies who provide budgeting, home ownership and financial counseling. Clients are often notified about various home ownership opportunities available

PCHA has a few CROWN developments which allow the resident to purchase their unit after 15 years at a price well below market value. PCHA just sold 6 CROWN units some of which were to the original tenants (lived there for 15 years). PCHA coordinates a home owner class for residents as well

4. If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Neither Housing Authority is designated as troubled.

AP-65 Homeless and Other Special Needs Activities - 91.420, 91.220(i)

1. Introduction

The Consortium, through the Mountainland Continuum of Care, works with a number of homeless services agencies to reduce the number persons experiencing homelessness, reduce the length of time individuals experience homelessness, increase successful transitions out of homelessness and reduce the instances of return to homelessness.

Representatives from The City of Provo and Consortium cities participate in the CoC executive specifically so the CoC's priorities are considered during funding allocations.

The Mountainland Continuum of Care contracts with the State of Utah to administer HMIS. All service agencies in the region and the rest of the state are under a uniform data standard for HUD reporting and local ESG funders. All ESG funded organizations participate in HIMS, which is supported by Client Track.

The Mountainland Continuum of Care conducts an annual Point-In-Time count at the end of January to count sheltered (emergency sheltered and transitional housing) and unsheltered homeless individuals. Unsheltered homeless individuals are counted by canvassing volunteers. The volunteers use the Vulnerability Index & Service Prioritization Decision Assistance Tool (VI-SPDAT) to interview and try to connect unsheltered homeless individuals into services.

2. Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including:

a. Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Provo and Consortium cities will continue to partner with the Mountainland Continuum of Care and its partner agencies, and providing CDBG funding to support the efforts to reaching out to unsheltered individuals to assess their needs.

Addressing the emergency shelter and transitional housing needs of homeless persons

Neither The City of Provo nor Consortium cities have direct access to Emergency Solutions Grant (ESG) funding. However, State of Utah allocations are awarded to Community Action Services and Food Bank and the Food and Care Coalition. These agencies use the funding to support their services such as: providing motel vouchers, access to safe facilities, case management, etc.

c. Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City of Provo, the City of Orem, and Mountainland Associated Government (MAG, CDBG Administrator for Utah County) are active participants in the Task Force to End Chronic Homelessness, which have set the following goals:

- Renew Shelter Plus Care (S+C) projects currently in place for homeless mentally ill
- Introduce new S+C projects to provide housing and support services for chronic homeless
- Build permanent supportive housing for homeless mentally ill
- Fully utilize Olene Walker Housing Trust Fund through State of Utah to fund housing for chronically homeless and increase levels of funding
- Hold Chronic Homeless Task Force meetings to develop further goals
- Continue to hold Discharge Planning meetings
- Increase outreach and support services to chronic homeless by acquiring additional funding'
- Train homeless service providers quarterly regarding access to mainstream resources
- Assess and address client pathway barriers
- Assess problems and possible solutions to the problem of chronic homeless persons acquiring needed personal identification to access mainstream resources
- Continue to support efforts to assist young adult homeless people with substance abuse and mental health problems
- Provide counseling at main chronic homeless provider site
- Develop resources to expand care clinics

Other goals to eliminate homelessness are being addressed through participation in the Mountainland Continuum of Care. Goals are crafted to reduce homelessness in the larger service area of which Provo and Consortium cities are a part.

d. Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are:

being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

A Discharge Planning Committee meets regularly addressing the following issues:

Foster Care Discharge—As a result of the Initiative on Utah Children in Foster Care and the Transitions to Adult Living support Network Plan formed within the Department of Human Services, including the Divisions If Child and Family Services (DCFS), Juvenile Justice Services (JJS), Services for People with Disabilities (DSPD), and the Department of Workforce Services (DWS), young people transitioning into adulthood are increasingly living in safe, stable and affordable housing in their communities. Case management is a key component to success during the transition; community partners are assisting the youth as they learn and grow in their new environments. Wasatch Mental Health Vantage Point Youth Services plays a key local role in assisting youth in making the transition to independence.

Health Care Discharge—The Mountainland Continuum of Care has a Discharge Planning Committee whose goal is to ensure that no one is discharged from a medical facility to the streets. The persons on this committee who are developing the final protocol for health care discharge are: homeless service providers, housing providers, emergency room case workers, hospital social workers and representation from the largest local health care system, Intermountain Healthcare.

Mental Health Discharge—The State of Utah has developed protocol and has completed a survey and analysis of homelessness. Within the Public Mental Health System, we are currently in development stages to plan the capacity to ensure that all mentally ill homeless individuals discharged from public institutions will have access to affordable housing and supportive services. State Human Services Discharge Planning Committee has developed a plan specific to mental health and substance abuse, and continues to work with the State Homeless Coordinating Committee to identify and create additional low-income permanent housing for the chronically homeless and develop a process for rapid re-housing of the temporarily homeless.

Correction Discharge—In addition to private organizations such as Prisoner Information Network (PIN) and the Harm Reduction Project, which provide prisoners being discharged with information and services as they leave the state prison, State Corrections has developed a program inmates are able to access before their release. The Women's Correctional Facility has developed the Your Parole

Requires Extensive Preparation (YPREP) office which is opened to women prior to their release and offers much information on successful living outside the facility. The YPREP office is currently in the process of assessing the housing needs of the female population. The information gathered will result in a strategically targeted effort to meet those needs for the women prior to release from incarceration. Each month community members meet for the Women's Summit and Men's Summit meetings. The summit meetings are used to identify and develop resources needed for successful transition.

3. Discussion

While the The City of Provo and Consortium cities do not fund services that directly affect homelessness, it is their intent to support agencies with programs that assist the homeless and help people that are vulnerable to becoming homeless. We also continue to work with other organizations, including those that serve and coordinate with Mountainland Continuum of Care to influence policy to help prevent homelessness in the future.

AP-75 Barriers to affordable housing - 91.420, 91.220(j)

1. Introduction

The most critical public policy barriers (direct and indirect) to the production and preservation of affordable housing include the following:

- 2. Siting of Housing
- 3. Land or development cost barriers
- 4. Zoning and land use barriers
- 5. Local residency preferences by Housing Authorities
- 6. NIMBYsm (Not-In-My-Back-Yard)
- 7. Limited availability of housing choice vouchers
- 8. Development and land costs
- 9. Impact fees
- 2. Actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies, affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

The Consortium cities will initiate the process of coordination with Consortium cities to review the barriers and establish strategies and action plans to address them.

AP-85 Other Actions - 91.420, 91.220(k)

1. Introduction

The City of Provo and Consortium cities will engage in a variety of activities intended to further local housing and community development goals.

2. Actions planned to address obstacles to meeting underserved needs

The City of Provo and Consortium cities will continue to collaborate and partner with a wide network of housing and human services providers, government officials, business leaders, and citizens to identify areas of need in the community. A coordinated effort will be made to continually improve service delivery systems, reduce duplicative services and to create a process that is flexible enough to meet new needs as they develop.

3. Actions planned to foster and maintain affordable housing

The City of Provo and Consortium cities will continue to operate single-family rehabilitation programs. Other planned actions that will foster affordable housing include homebuyer and rental projects. To further enhance low- to moderate-income neighborhoods, street improvements are also planned.

4. Actions planned to reduce lead-based paint hazards

Lead risk assessments will be completed for all housing units receiving assistance through the housing rehabilitation programs. When conditions are found which indicate a potential lead-based paint hazard, appropriate remedial action will be included as part of the proposed work. All lead work will be conducted in accordance with federal regulations and performed by appropriate certified and/or licensed contractor

5. Actions planned to reduce the number of poverty-level families

The City of Provo and Consortium cities have well-established service networks to provide services to impoverished people. These include:

- County Health Program to provide medical coverage for those who need it.
- The City and the Consortium address other critical needs by supporting coordinating and referring families and individuals to resources such as:
 - Circles initiative, which helps individuals living in generational poverty recognize and overcome their barriers to self-reliance, sponsored by Community Action Services and Food Bank (CASFB);
 - Bridges Out Poverty Training, conducted by CASFB

- Community garden, community kitchen, food bank, family development programs, home buyer and mortgage counseling through CASFB;
- Weatherization and energy conservation programs available from the Housing Authority of Utah County;
- Down payment assistance through the RDA;
- Partner nonprofit agencies that provide medical services to extremely and very lowincome families and individuals

6. Actions planned to develop institutional structure

The RDA will continue to coordinate activities and foster relationships in the community among public and non-governmental entities. With diminished revenues, lost resources must be offset. The following are considered for the coming year:

Management Capacity

- Develop additional cost-effective ways to provide affordable housing. The City of Provo and Consortium cities will continue to seek additional ways to share resources and costs to maintain an acceptable level of program and management capacity
- Identify service gaps and improve efficiency and effectiveness in their delivery. The City of Provo and Consortium cities will enhance program design and delivery. This is a continuing process and, although, no specific actions have been identified for implementation during the 2015-2016 program, measures will be taken.

Expanding the Network of Partners

The City of Provo and Consortium cities will continue efforts to strengthen existing and establish new relationships with service providers to expand and strengthen services in the community.

Subrecipient Monitoring

The RDA will continue to monitor and assist Subrecipients and Community Housing Development Organizations (CHDOs). Monitoring will be performed through risk assessment and Technical Assistance will be provided on the degree of need.

7. Actions planned to enhance coordination between public and private housing and social service agencies

The City of Provo and Consortium will enhance coordination with service providers and housing providers through coordination meetings, participating in community-wide-committees, and engaging local experts recommend and provide programs for their target populations. A major tool for this coordination is through the collaborative relationship with the Mountainland Continuum of Care.

PROGRAM SPECIFIC REQUIREMENTS

AP-90 Program Specific Requirements - 91.420, 91.220(l)(1,2,4)

Introduction

In this section the RDA addresses various program specific requirements and how it complies with federal regulations specific to the grants received. This section provides a calculation of total CDBG Program Income. The guidelines established to comply with statutory requirements of the HOME Program are also included.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

| 1. The total amount of program income that will have been received before | |
|---|--------------|
| the start of the next program year and that has not yet been reprogrammed | \$182,178.00 |
| 2. The amount of proceeds from section 108 loan guarantees that will be | |
| used during the year to address the priority needs and specific objectives | |
| identified in the grantee's strategic plan | \$0.00 |
| 3. The amount of surplus funds from urban renewal settlements | \$0.00 |
| 4. The amount of any grant funds returned to the line of credit for which the | |
| planned use has not been included in a prior statement or plan. | \$0.00 |
| 5. The amount of income from float-funded activities | \$0.00 |
| | \$182,178.00 |

Other CDBG Requirements

| 1. The amount of urgent need activities | \$0.00 |
|--|--------|
| | |
| 2. The estimated percentage of CDBG funds that will be used for activities that | |
| benefit persons of low and moderate income. Overall Benefit - A consecutive | |
| period of one, two or three years may be used to determine that a minimum | |
| overall benefit of 70% of CDBG funds is used to benefit persons of low and | |
| moderate income. Specify the years covered that include this Annual Action Plan. | 85.00% |

HOME Investment Partnership Program (HOME) Reference 24 CFR 91.220(1)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

The Utah Valley HOME Consortium utilizes only forms of investment as outlined in Section 92.205

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

The following provisions will apply to Subrecipients, Contractors and Developers (including CHDOs) or other entities that will provide homebuyer assistance with HOME funds provided through the Utah Valley HOME Consortium.

- The length of the affordability period will be as established by the HOME Program statute depending on the amount of funding received for the project.
- The chosen method is Recapture
- The Utah Valley HOME Consortium will require full payment of the assistance provided to the homebuyer if the assisted HOME unit is sold during the affordability period. However, if there are no net proceeds or insufficient proceeds to recapture the full amount of the HOME investment due, the amount subject to recapture will be limited to what is available from the net proceeds. Net proceeds are defined as the sales price minus superior non-HOME loan repayments and closing costs, excluding realtor commissions.
- Written agreements will reflect this requirement
- Affordability provision will be enforced through a recorded Deed of Trust
- 3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

The description of the guidelines for homebuyer activities (Question #2 in this section) apply here as well. Please refer to the response to question AP-90 #2.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

The Consortium has no plans to exercise this section of the HOME statute during this five-year period.

Appendix - Alternate/Local Data Sources



Provo City (Redevelopment Agency)

Staff Memorandum

CDBG Committees' Funding Recommendations for FY- 2016-2017

March 1, 2016

Department Head

David Walter 6167

Presenter

Dan Gonzalez 6168

Required Time for Presentation

15 Minutes

Is This Time Sensitive

Yes / No

Case File # (if applicable)

XX-XXX

Purpose of Proposal

 FY 2016-17 CDBG Committees Funding Recommendations

Action Requested

• Accept recommendations

Relevant City Policies

• 2016-17 Annual Action Plan to HUD

Budget Impact

• \$1,430,014 (Grant plus Program Income)

Description of this item (at least 2 paragraphs)

This is to help Council Members to have a clear understanding of what your item is.

- Every year Provo City receives an entitlement from HUD for the Community Development Block Grant (CDBG) Program, \$1,206,010 for Fiscal Year 2016-17.
- Staff receives and reviews applications and convenes two separate committees (CDBG and CDBG-SS) who listen to applicant's proposals. Committee Chair persons will present their recommendations to City Council for their approval, assisted by CDBG Program Administrator.

| 1 | RESOLUTION 2016- |
|----------------------------|--|
| 2 | |
| 3 | A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE 2016-2017 FISCAL YEAR ENDING |
| 5 | ON JUNE 30, 2017. (16-033) |
| 6 | ON 30NL 30, 2017. (10-033) |
| 7 | WHEREAS, Provo City (the "City") is entitled to receive \$1,206,010 in Community |
| 8 | Development Block Grant ("CDBG") funds from the United States Department of Housing and |
| 9 | Urban Development ("HUD"); and expects to reprogram \$41,826.00 in unexpended previous |
| 10 11 | years Program funds and \$182,178.00 in Program Income; all as shown in Exhibits A and B; and |
| 12 | WHEREAS, after duly considering applications received and the needs of the City, |
| 12 13 | Advisory Citizen Committees (the "Committees") made recommendations regarding the use of |
| 14 | CDBG funds; and |
| 15 | |
| 16 | WHEREAS, on April 19, 2016, the Municipal Council held a duly noticed public hearing |
| 17 | to receive public comment and ascertain facts regarding the use of CDBG funds, which facts and |
| 18 | comments are found in the hearing record; and |
| 19 | |
| 20 | WHEREAS, after considering the recommendations of the Committees, and facts and |
| 21 | comments presented to the Municipal Council, the Council finds (i) that CDBG funds should be |
| 22 23 24 25 26 | apportioned as shown in the attached Exhibits A and B and (ii) that such use of the CDBG funds |
| 23 | reasonably furthers the health, safety and general welfare of the citizens of Provo City. |
| 24 25 | NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, as follows: |
| 25 26 | NOW, THEREFORE, be it resolved by the Mullicipal Council of Flovo City, as follows. |
| 27 | PART I: |
| 28 | TAKET. |
| 29 | 1. The Municipal Council hereby adopts a CDBG Program for the Fiscal Year 2016-17 in |
| 30 | the total amount of \$1,206,010, plus \$41,826.00 in reprogrammed funds and \$182,178.00 in |
| 31 | Program Income, all as shown in Exhibits A and B. |
| 32 | |
| 33 | 2. The Mayor is authorized to (i) complete and submit a Final Statement to HUD, (ii) sign |
| 34 | the HOME Program Application, and (iii) make appropriate certifications as required by HUD. |
| 35 | |
| 36 | 3. The projects approved for funding in the 2016/17 Final Statement shall be incorporated |
| 37 | into the 2016 Annual Action Plan of the 2015 Consolidated Plan. |
| 38 | DADT II. |
| 39 40 | PART II: |
| +0 41 | This resolution shall take effect immediately. |
| 42 | This resolution shall take effect ininicalately. |
| 43 | END OF RESOLUTION. |

FINAL 2016-17 CDBG FUNDING RECOMMENDATIONS EXHIBIT A

| 2016 - 17 CDBG ENTITLEMENT | FINA | L | \$ | 1,206,010.00 Higher than Estimated |
|--|------|------------|-----------|---|
| AVAILABLE FOR REPROGRAMMING 2014-15 CDBG Administration | \$ | 41,826.00 | 4.07 /6 | Tilgrier man Estimated |
| Total Available for Reprogramming | | | \$ | 41,826.00 |
| PROGRAM INCOME (principal & interest payments) 2014-15: | | | | |
| Small Business Loans | \$ | 6,793.00 | | |
| Rental Housing (NHS) | \$ | 45,248.00 | | |
| Down Payment Assistance | \$ | 130,137.00 | | |
| Total Program Income | | | \$ | 182,178.00 |
| 2016-17 FINAL CDBG AVAILABLE | | | \$ | 1,430,014.00 |

| 2016-17 FUNDING REQUESTS: | | Requested: | | | 2015-16 | | 2016-17 | |
|--|----------|----------------|---------|------------------|---------|------------|---------|-------------------|
| | | | | | | Funding | Red | commended Funding |
| | | | | | | | В | By Committees 85% |
| Administration CDBG (20%) | | | \$ | 241,202.00 | \$ | 256,137.00 | \$ | 241,202.00 |
| | | | | | | | | |
| Program Delivery | | | | | | | | |
| Down Payment Assistance Program | | | \$ | 128,000.00 | \$ | 144,000.00 | \$ | 128,000.00 |
| Eggress Windows | | | \$ | 16,000.00 | | | \$ | 16,000.00 |
| Commercial Façade Renovation | | | \$ | 16,000.00 | \$ | 16,000.00 | \$ | 16,000.00 |
| CDBG-Social Service Funding (15% of Grant) | | | \$ | 180,902 | \$ | 192,103.00 | \$ | 180,902 |
| | | | | | | | | |
| TOTAL CDBG Admin, Program Delive | ry, Prog | ram Income, So | ocial S | ervices Funding | | | \$ | 582,103.50 |
| | | | | | | | | |
| | | | | nding Available | | | \$ | 1,430,014.00 |
| | | Total | Availa | ble For Projects | | | \$ | 847,910.50 |
| PROJECTS: | Re | equested: | | | | | | |
| Alpine House: Building Renovation | \$ | 10,000.00 | | | \$ | - | \$ | 10,000.00 |
| Center for Women and Children in Crisis | \$ | 63,000.00 | | | \$ | - | \$ | 63,000.00 |
| Provo City RDA: Commercial Façade Renovation (Central Business District) | \$ | 50,000.00 | | | \$ | 45,121.00 | \$ | 50,000.00 |
| Provo City RDA: Egress Window Program | \$ | 100,000.00 | | | \$ | 22,560.00 | \$ | 100,000.00 |
| Provo City Parks Dept.: Foothill Park | \$ | 600,000.00 | | | \$ | | \$ | - |
| Provo City Egineering Dept.: Bikeway Project for 200 East | \$ | 500,000.00 | | | \$ | 193,347.00 | \$ | 470,310.50 |
| Rural Housing Development CorpSelf-Help Homes: 400 West Improvements (Central Business District) | \$ | 154,600.00 | | | | | \$ | 154,600.00 |
| | | | | | | | | |
| TOTAL PROJECTS REQUESTS | | - | \$ | 1,477,600.00 | | | | |
| TOTAL RECOMMENDED FUNDING BY COMMITTEES | | | | | | | \$ | 847,910.50 |
| To be Committed (over committed) | | | | | | | \$ | - |

2016-17 CDBG-SOCIAL SERVICES FUNDING RECOMMENDATIONS EXHIBIT B

| Social Services FY 2016-17 | | 2015-16 | | 2016-17 | | Committee |
|---|----|---------|-----------|---------|-----------------|----------------|
| Grant Amount \$1,206,010 |) | CDBG | Requested | | Recommendations | |
| | | Award | | Funding | 1 | 5% - \$180,902 |
| | | | | | | |
| Affiliated Treatment Center, LLC | \$ | 16,705 | \$ | 20,000 | \$ | 16,779 |
| Big Brother's Big Sisters | \$ | - | \$ | 5,000 | \$ | - |
| Center for Women & Children | \$ | 27,841 | \$ | 25,000 | \$ | 17,828 |
| Children's Justice Center | \$ | - | \$ | 29,750 | \$ | 18,877 |
| Community Action Services: Food Bank | \$ | 12,250 | \$ | 15,000 | \$ | 12,584 |
| Community Health Connect | \$ | 10,023 | \$ | 11,000 | \$ | 9,438 |
| Friends of the Coalition | \$ | 11,136 | \$ | 10,000 | \$ | 8,390 |
| House of Hope | \$ | 11,136 | \$ | 10,000 | \$ | 8,652 |
| Mountainlands Community Health Center | \$ | 15,034 | \$ | 15,000 | \$ | 13,633 |
| People Helping People | \$ | 7,795 | \$ | 10,000 | \$ | 6,292 |
| Project Read | \$ | 4,455 | \$ | 10,000 | \$ | 5,244 |
| Provo City Police Dept.: Victims Assistance Services | \$ | 21,410 | \$ | 22,570 | \$ | 21,236 |
| Recreation and Habilitation Services (RAH) | \$ | 24,250 | \$ | 22,600 | \$ | 20,974 |
| Rocky Mntn. Univ. of Health Professions Foundation: Phys. | | | _ | 05.000 | | 40.40 |
| Therapy | \$ | _ | \$ | 25,000 | \$ | 10,487 |
| Teens Act | \$ | - | \$ | 30,000 | \$ | 10,487 |
| TURN Requested to pull application out of process. | \$ | - | \$ | 25,000 | | , |
| | Ļ | | | | | |
| Total 2015-16 Social Services Requests | \$ | 162,035 | \$ | 285,920 | \$ | 180,902 |



Provo City (Redevelopment Agency)

Staff Memorandum

HOME Funding Recommendations for FY- 2016- 2017

March 1, 2016

Department Head

David Walter 6167

Presenter

Dan González 6168

Required Time for Presentation 15 Minutes

Is This Time Sensitive Yes / No

Case File # (if applicable)

XX-XXX

Purpose of Proposal

• FY 2016-17 HOME Funding Recommendations

Action Requested

Accept recommendations

Relevant City Policies

2016-17 Annual Action Plan to HUD

Budget Impact

• \$1,167,638 (Grant plus reprogramming)

Description of this item (at least 2 paragraphs)

This is to help Council Members to have a clear understanding of what your item is.

- Every year, as Lead Entity for the Utah Valley HOME Consortium, Provo City receives an entitlement from HUD for the HOME Investment and Partnerships (HOME) Program, \$1,053,336 for Fiscal Year 2016-17.
- Staff receives and reviews applications and consults with a Consortium HOME Advisory Board who listen to applicant's proposals and makes funding recommendations. Consortium Executive Director (HOME Program Administrator will present their recommendations to City Council for approval.

| 1 | RESOLUTION 2016- |
|----------------------|---|
| 2 3 4 | A RESOLUTION APPROVING THE HOME PROGRAM FOR THE 2016-2017 FISCAL YEAR ENDING ON JUNE 30, 2017. (16-033) |
| 4 5 | TIBETIE TEINEET BILVE OT VOTE 50, 2017. (10 055) |
| 6 7 | WHEREAS, Provo City (the "City") as the Lead Entity of the Utah Valley HOME Consortium ("Consortium") estimates to receive from the United States Department of Housing |
| 8 9 10 | and Urban Development ("HUD") (i) \$1,053,336 for the HOME Investment and Partnerships Program ("HOME Program"); (ii) and \$114,302 in reprogrammed funds all as shown in Exhibit A and |
| 11 | and |
| 12 13 | WHEREAS, on January 14, 2016, after duly considering applications made and the needs of the Consortium, an Advisory Board Committee (the "Committee") made recommendations |
| 14 | regarding the use of HOME funds; and |
| 15 16 17 | WHEREAS, on April 19, 2016, the Municipal Council held a duly noticed public hearing to receive public comment and ascertain facts regarding the use of HOME funds, which facts and |
| 18 19 | comments are found in the hearing record; and |
| 20 21 22 23 | WHEREAS, after considering the recommendations of the Committee, and facts and comments presented to the Municipal Council, the Council finds (i) that HOME funds should be apportioned as shown in the attached Exhibit A and (ii) that such use of the HOME funds reasonably furthers the health, safety and general welfare of the citizens of Provo City. |
| 24 25 | NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, as follows: |
| 26 27 28 | PART I: |
| 29 30 31 | 1. The Municipal Council hereby adopts a HOME Program for the Fiscal Year 2016-17 in the total new entitlement amount of \$1,053,336, plus \$114,302 in reprogrammed funds, all as shown in Exhibit A. |
| 32 33 34 35 | 2. The Mayor is authorized to (i) complete and submit a Final Statement to HUD, (ii) sign the HOME Program Application, and (iii) make appropriate certifications as required by HUD. |
| 36 37 38 | 3. The projects approved for funding in the 2016/17 Final Statement shall be incorporated into the 2016 Annual Action Plan of the 2015 Consolidated Plan. |
| 39 40 | PART II: |
| 40 41 42 | This resolution shall take effect immediately. |
| 43 | END OF RESOLUTION. |

2016/17 HOME Funding Allocations Exhibit A Final

| | Eati | mated Funding | ΔI | FINAL LOCATION | ΛI | TOTAL LOCATION |
|---|------|---------------|----|-------------------|----|-------------------|
| 2016/17 HOME CONSORTIUM ENTITLEMENT FINAL | \$ | 850.000 | AL | LOCATION | \$ | 1,053,336 |
| Percent of Increase from Estimate | - | 830,000 | | 23.9% | Ψ | 1,055,550 |
| | | | | | | |
| Provo's FY 16/17 HOME Share | \$ | 382,500.00 | \$ | 474,001 | | |
| Consortium's FY 16/17 HOME Share | \$ | 467,500.00 | \$ | 579,335 | | |
| | | | | | | |
| Administration 10% of Grant | \$ | 85,000.00 | \$ | 105,334 | | |
| AVAILABLE FOR REPROGRAMMING | | | | | | |
| Total Available for Reprogramming | | | | | \$ | 114,302 |
| | | | | | | |
| 2016/17 HOME FUNDS ESTIMATED AVAILABLE | | | | | \$ | 1,167,638 |

| PROPOSED USES 2016/17: | | | | | |
|---|-----------|-------------------|-----------|----------------|-----------------|
| | | Estimated | Fina | al Allocations | |
| | R | <u>ecommended</u> | | to be | |
| | | Funding: | <u> </u> | ppropriated | |
| HOME Administration | <u>\$</u> | 85,000 | <u>\$</u> | 105,334 | |
| | | | | | \$ 105,334 |
| HOME-CHDO Funding | | | | | |
| Habitat for Humanity - Land Acquisition/New Construction Consortium | \$ | 127,500 | \$ | 158,000 | |
| Rural Housing Development Corp Mutual Self Help Program | \$ | - | \$ | - | |
| HOME-CHDO Available (15% of Entitlement) | | | | | \$ 158,000 |
| | | | | | |
| Proposed Project | | | | | |
| Rural Housing Development Corp Mutual Self Help - Req. \$500,000 | \$ | - | \$ | _ | |
| Loan-to-Own County Wide DPA - Reg. \$400,000 | \$ | 400,000 | \$ | 400,000 | |
| Habitat for Humanity-New Construction - Reg. \$200,000 | \$ | 72,500 | \$ | 42,000 | |
| Hsg. Authority UT Cty - Payson Perm Support. Hsg Req. \$900,000 | \$ | 194,302 | \$ | 377,304 | |
| Hsg. Authority UT Cty - Owner Occupied Rehabilitation - Req. \$50,000 | \$ | 50,000 | \$ | 50,000 | |
| Golden Spike Treatment Ranch-REAP (TBRA) - Req. \$70,000 | \$ | 35,000 | \$ | 35,000 | \$ 904,304 |
| | | | | | |
| | | | | | |
| TOTAL PROPOSED USES | | | | | \$ 1,167,638 |
| | | | | | |
| To Be Committed (over committed) | | | | | \$ 0 |

NOTE: Final allocations are based on Committee's recommendation for estimated funding, should final amount from HUD be:

- 1. 10% or lower, funds shall be reduced evenly among all recommended projects, after allocating corresponding Administration and HOME-CHDO line items;
- 2. Increased up to 25%, funds shall be allocated as follows:
 - a. Corresponding increases to Admin. and HOME-CHDO line items
 - b. Increase allocated to HAUC's Permanent Supportive Housing Project
- 3. Decreased lower than 10%, or increased higher than 25% shall require further approval.

Provo City (Redevelopment)

Staff Memorandum

Memo Title

April 12, 2016

Department Head

David Walter 852-6167

Presenter

David Walter 852-6167

Required Time for Presentation

30 minutes

Is This Time Sensitive

Yes

Case File # (if applicable)

Purpose of Proposal

 To reimburse Cowboy Partners for costs incurred while handling contamination during construction of Liberty Square

Action Requested

• Approval of \$154,950.37 from fund balance in Fund 279

Relevant City Policies

- Pursue economic development initiatives
- Eliminate blight
- Provide Housing

Budget Impact

• \$154,650.27 from Fund 279 Fund balance

Description of this item (at least 2 paragraphs)

• The Community Redevelopment Agency of Provo City Corporation (Agency) purchased the property at Center Street and 300 West over a number of years and from various property owners. One of the prior uses involved underground storage tanks and the Agency had environmental studies performed and the tanks removed in accordance with state law. Subsequently, the property was sold to Cowboy Partners for a multistory mixed use development entitled Liberty Center. Liberty Center will be four-stories with 120 apartments and 6,465 square feet of commercial space on the ground floor.

- Cowboy closed escrow on the property and got their necessary permits and began construction. During their excavation process, the contractors discovered contamination on the site. They were required halt construction and deal with the contamination pursuant to guidelines from the State of Utah. Also pursuant to those guidelines, the Agency, as the entity that removed the underground storage tanks, is the responsible party for the costs of cleaning up the contaminated soil. Cowboy Partners, to facilitate the cleanup and not face any further delays, cleaned up the site and worked with their subcontractors to get the most reasonable price for the work. They have completed the remediation and have submitted an invoice to us.
- Staff is requesting authority to appropriate \$154,650.27 from unencumbered fund balance from Fund 279 to reimburse Cowboy Partners. It is important to note that many of the subcontractors used on the project are small local contractors who typically do not have a large cash reserve for these situations. Staff is also working with Legal to determine if we are able to seek any form of reimbursement from prior property owners.
- Attached to this report are Cowboy Partners' request and copies of the invoices. Staff is available for any questions

RESOLUTION 2016-RDA-.

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Α RESOLUTION OF THE GOVERNING BOARD OF THE REDEVELOPMENT AGENCY OF PROVO CITY **CORPORATION AUTHORIZING** THE APPROPRIATION OF \$154,950.37 UNENCUMBERED RESERVES IN FUND 279 FOR THE PAYMENT OF COSTS INCURRED BY COWBOY PARTNERS FOR THE REMEDIATION OF PROPERTY ONCE OWNED BY THE REDEVELOPMENT AGENCY. (16-048)

8 9 10

11 12

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WHEREAS, the Redevelopment Agency of Provo City Corporation (Agency) was created to transact the business and exercise all of the powers provided in the Utah Neighborhood Development Act, the Utah Redevelopment Agencies Act and the current Utah Community Development and Renewal Agencies Act and any subsequent, replacement or amended law or act (the Act); and

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WHEREAS, pursuant to the Act, as amended, the Agency is empowered to acquire property, remediate it and sell it for development; and

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WHEREAS, the Agency acquired and assembled property generally located in Block 70 of downtown Provo (more specifically properties located along the eastern edge of 300 West) and performed Phase I environmental studies, and where warranted, Phase II environmental studies on the properties, removing the underground storage tanks discovered on the property through this process; and

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WHEREAS, the Agency subsequently sold the property to Cowboy Partners who agreed to develop the property as a four story mixed use complex with 6,529 square feet of commercial space on the ground floor and 120 apartments with an appurtenant parking structure; and

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WHEREAS, after considering the environmental data provided by the Agency and beginning construction, Cowboy Partners discovered contamination on the site and brought in the State Division of Environmental Response and Remediation who approved of the cleanup and notified the Agency that as the entity that removed the tanks it is the party responsible for the cleanup; and

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WHEREAS, Cowboy Partners has now submitted an invoice with supporting documentation for the remediation efforts they have undertaken to improve the property and proceed with the construction of their mixed-use project; and

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WHEREAS, the only source of funding available to the Agency for the reimbursement of these remediation costs is from unencumbered fund balance.

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| 42 | NOW, THEREFORE, be it resolved by the Governing Board of the Redevelopment |
| 43 | Agency of Provo City Corporation as follows: |
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| 45 | PART I: |
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| 47 | For and on behalf of the Redevelopment Agency of Provo City Corporation, the Chief |
| 48 | Executive Officer or his designee is authorized to: |
| 49 | 1. Appropriate from unencumbered fund balance the \$164,520 necessary to |
| 50 | reimburse Cowboy Partners for the remediation of the property sold by the |
| 51 | Agency. |
| 52 | 2. Remit the money to Cowboy Partners for the remediation. |
| 53 | 3. Pursue any legal and viable options for recovering the costs through the |
| 54 | environmental laws of the State of Utah. |
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| 56 | PART II: |
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| 58 | This resolution shall take effect immediately. |
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| 60 | END OF RESOLUTION. |







































ET Export (B) No. 264523

E.T. TECHNOLOGIES INC.



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SCALEHOUSE NITIALS

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

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ET Export (B)



Phone 801-521-2312

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No. 263512 FI Export (B)

E.T. TECHNOLOGIES INC.

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(801) 973-2065 HTUO2 00E1 .W 0E03 SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE E.T. TECHNOLOGIES INC.

WASTE MANIFEST

GENERATOR'S CERTIFICATION:

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Additional Descriptions or Special Handling Instructions: Gals. Lbs. Gals. Lbs. October Contaminated Gals. 28651-508 =7 PROFILE NUMBER DESCRIPTION OF WASTE MATERIALS YTITMAUO JATOT CONTAINER WASTE CODE/ WASTE TYPE CODES: G = KITCHEN SUMP K = 20IF J = SEPTIC / SEWAGE 9MUZ GRAY = 1 dwns dohs = H L = OTHER CONTAINER CODES: E = DUMP A = SUMP TRUCK F = OTHER D = BARRELS C = TANKER MAR = 8 .8 SHIPPING DESCRIPTION STAO DRIVER SIGNATURE DRIVER NAME (Please Print) TRANSPORTER COMPANY NAME Gld ment from the Waste Generators located in Section 3 above tedge, the information given in this Manitest is a true and accurate description of the waste material. I further acknowledge receipt of the shipin Section 3 of this document. No other substance or waste from any other sources are included in this shipment. To the best of my know-TRANSPORTATION CERTIFICATION: I certify that the waste load(s) listed below (Section 5) were collected from the Waste Generators listed CILL STATE *PHONE* SIP CODE GENERATOR 3 ADDRESS SIP CODE STATE **DHONE** GENERATOR 2 **VDDRESS** PHONE 861-424-4400 109 68 3000 diz STATE_ **SSBROOA** CENERATOR 1 WASTE GENERATOR(S) INFORMATION: . 6 DATE RECEIVED DATE SHIPPED SALT LAKE CITY, UTAH 84104

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I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects

No. 263530 ET Export (B)

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E.T. TECHNOLOGIES INC.



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No. 263518 ET Export (B)

E.T. TECHNOLOGIES INC.



6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104 SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE E.T. TECHNOLOGIES INC.

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E.T. TECHNOLOGIES INC.



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E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE VALLEY LANDFILL SALT LAKE CITY, UTAH 84104

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| Phone: (801) 830-7745 |
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| Lehi, Utah 84043 |
| 372 South 780 West |
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| | | TUOHSAY | V/3MIT J3VA9T | - | 6, | - SNOT J | \TOT | TION METHOD | TUGMOD TH | FREIGH |
| Driver's Signature | | | | | | | | | | |
| | | | | | 30 | | | | | 31 |
| to the Shop Foreman any defects found. | | | | | 62 | | | | | 14 |
| I have checked each item on the above list and will report | | T V | | | 28 | | H | | | 13 |
| defects to Shop Supervisor before driving vehicle. | | | | | 72 | | | | | 12 |
| Driver must report mechanical | | | | | 97 | | a verification be authorized | | | 11 |
| Coupling Devices Back-Up Alarm | | | | | 52 | | | | | 10 |
| Fire Extinguisher Triangles Steering | | | | | 24 | | | | | 6 |
| Truck Clean of Debris Truck Clean of Debris | | | | | 52. | | | | | 8 |
| Rear Vision Mirrors | | | ***** | + | 22 | | | | | 1 |
| Mud Flaps | | | - | | 21 | | | | | 9 |
| Air Leaks Stakes | | | | - | | | | | | 9 |
| alsngi2 nıuT SidpiJ | | | | - | 50 | | | | | |
| Wheels, Rims, and Lugs | | | | | 61 | | | | | Þ |
| Coolant Level | | | | | 81 | | | 585577 | | 3 |
| Engine Oil Level | | | | | 11 | | | 015 876 | | 2 |
| (V) If Okay | | | - A Description | | 91 | | | 815576 | | ı |
| Mileage | DELAY | SNOT | TICKET | BMIT QA | от а#от | # DELAY | SNOT | TICKET | LOAD TIME | # royd |
| UP #1 - delays: PUP #2 - unloading delay PUP #3 - equipment delay #4 - other - explain Drivers Daily Safety Check | HEELER & HEELER & | 2.10 WH | IDE DOND 4 MHEEFEK 5 MHEEFEK 0 MHEEFEK (CHECK ONE | 1.1 3.1 5.1 | 7105 | , , | Waland Bill | | | |
| END: 3120 | MG NO | MA G | 0;8 | AATS | - | | en | 005 NO0 | 3MAV | 108 |
| END: | | CONTRACTOR | :H XES □ NO | רחאכ | | | ENTEN | PHARM | DDKE88_ | A TIG |
| | _ | 9 | K NO. | DUAT | | | 57830 | 1/12/11 | _ЯОТЭАЯТ | CON |
| | | 51-8 | | TAG | הכנווום | 127 TR | CHANG. | WE WIKE | OYEE NAI | |
| 5. Wed Thurs. Fri. Sat. | on. Tues | | | | | Table Naver C | ., | 970 Car 53552 | GHT BILL | |

PLEASE PRINT NAME

attorney's fee. judgement, until paid. That if this account is placed in the hands of an attorney for collection, with or without suit, to pay a reasonable undersigned agree to pay a FINANCE CHARGE AT THE RATE OF 2% PER MONTH WHICH IS 24% PER ANNUM, before and after This account is due and payable on the 15th of each month. If this account becomes delinquent, 15th of following month, I or we, the

IMVe understand that loaded trucks can cause damage to concrete, landscaping, sprinkler system, and other items that may be on the property designated for delivery and I, therefore, specifically agree to hold Snap Trucking L.L.C. or its agents harmless for any damage caused by movement of the delivery vehicle while accessing or egressing the location I have designated for delivery. DELIVERY TERMS AND CONDITIONS

DRIVER SIGNATURE PLAN

JOB FOREMAN'S SIGNATURE

WHITE -Snap Trucking L.L.C.

ET Export (B) No. 263533

E.T. TECHNOLOGIES INC.



WCK

2021/202

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

NON-HAZARDOUS WASTE MANIFEST

11/1/2/2/2016

ABRA JASOGRA

SCALEHOUSE INITIALS

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| | Company | | Title | | 1/49 | SENERATOR 3 — Centiled I | 7 |
| | Company | | - Tille | | , | SENERATOR 2 — Centied I | |
| a non ea eovo bedra that said waste is as segrans childnah | hat the waste materials desc te to time, and I acknowledg processing fees and special | ions. I further centry to gas amended from the o pay for all disposally | isi governmental regulari in C.F.R. Pari 260 & 261, hnologies, inc. i agree to for all past due acc | ie hederal, State and Loc jement Regulations and e ne operated by E.T. Tec incil | of this consignment are fully an highway according to applicably the Soils Regeneration Siscophy Sarah Management Country of 5.5% per men charge of 1.5% per men charge of 1.5% per men charge of 1.5% per men charge. | CENERATOR'S CERTIFIED IN THE CONTRIBER TO PERSONNEL TO PERSONNEL TO SEN TANK THE CONTRIBER TO PERSONNEL TO THE CONTRIBER THE CONTR | 1 9 |
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| | AB | HTO=3 9MUQ | E=1 | C = TANKER C | SUMP TRUCK B = RAM | | - |
| | - 22 JUG | | | | | SHIPPING DESCRIP. | .8 |
| \$1- | Z-Z1 STAG | | | 18:52.10 J | | DRIVER SIGNATURE | |
| | | bus | 124 TRUCK | IKE HENDI | MPANY NAME | THANSPORTER COM | |
| laste Generators listed he best of my know- dge receipt of the ship- | this shipment. To t | is are included in | n any other source | ance or waste fron | ERTIFICATION: I certi sument. No other subsi given in this Manifest is generators located in S | ledge, the information | ٠, |
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| ONE | Hd | ZIP CODE | | ATS | | YID | |
| | | | DRESS | | | GENERATOR 2 | |
| anh-hih-los 3NO | | ZIP CODE | てい ヨ | | / 000 | | |
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| | Duny Time | | | Material Ticket # Tons Dump Time 3 2 5 6 3 1 40 33 5 6 W. Y. Brand Strange | dress: Load Time Material Ticket # Tons Dump Time R:00 3" Foot 90 H0 9298 R:50 3" Foot 90 H0 9298 R:50 3" Foot 90 H0 9298 |

White — To Applied Ex Office Canary Yellow — Mail To Customer Pink — Foreman Conty

Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)

Travel Time

Customer Signature: _

91

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13

Total Truck Hours

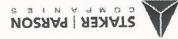
Driver Signature:

Total Tons

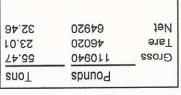
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Thank you for your business!









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Quant.: 32.46 Ton

281437 Applied Ex Inc Customer: Location: 00040-2 - Beef Hollow - Malibu Date: MAS4:62:11 12/4/2015

Order: BHAPPLIB - LIBERTY CENTER - quq dith qmud bn3 - q9qqA Vehicle:

:.jsəQ

02502 - 3" Ballast Crushed Rock Product:

| Order Totals | .spec | Today | | NORTH 3RD WEST PROVO | TSI |
|--------------|------------------------|-------|---------------|----------------------|----------|
| 1 | Fosqs: | 7 | rosqs: | | |
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| 32.46 | Received: | 90.33 | Received: | | |
| | Kalif Madala (W. 1997) | | | THE WAY YO | |
| wolloH 1e | Weighmaster: Bee | | Y900 A3MOT&UD | ived: | Received |

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I REREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022938

| snoT | Pounds | |
|-------|--------|-------------|
| 39.43 | 109300 | Gross |
| 10.62 | 46020 | Tare |
| ₽9.1E | 63280 | J 9M |

Thank you for your business!



:.0.9 :dol Account Pay: :euoZ

Quant.: 31.64 Ton

:.qsiQ

:.jsəQ Order: BHAPPLIB - LIBERTY CENTER - quq ditw qmud bn3 - 9999A Vehicle: 281437 Applied Ex Inc Customer: 00040-2 - Beef Hollow - Malibu Location: Date: 1:52:27PM 12/4/2015

COMPANIES

STAKER | PARSON

1ST NORTH 3RD WEST PROVO 02502 - 3" Ballast Crushed Rock Product:

| Weighmaster: Beef Hollow | | УЧ | CUSTOMER CO | |
|--------------------------|-----------|--------|-------------|------------------|
| ≯ 9.1€ | Received: | 64.141 | Received: | |
| 00.0 | Ordered: | 00.0 | Ordered: | |
| L | Foads: | 9 | Loads: | |
| Order Totals | | Тодау | | H 3RD WEST PROVO |

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022942

| 23.01 | 0209 1 | Tare |
|---------------|-------------------|-------|
| 88.18 | 03760 | Net |
| eno⊺ 88.43 | 087601 | Gross |

Thank you for your business!



:.O.9 :dol Account Pay: :euoZ

CUSTOMER COPY

NOSAA9 BENETA

Received:

| Product. | 4 110 00300 | 500m j |
|-----------|---------------|---------------------|
| Dest.: | | 66X9001 CV |
| Order: | J - 81J99AH8 | LIBERTY CENTER |
| Vehicle: | APP6P - End | - quq dith Pup - |
| Customer: | 24437 Appl | olied Ex Inc |
| Location: | 00040-2 - Bee | udilsM - wolloH 199 |
| Date: | 12/4/2015 | Mqe0:72:8 |
| - | | |

| SistoT TebalO | Loads: Ordered: Received: | Loads: 8 Ordered: 0.00 Received: 228.03 | | Received: |
|-------------------|---------------------------------|---|-------------------------|--|
| | | u | Disp.: Quanta: 31.88 To | Product: 02502 - 3" Ballast Crushed Rock |

НАТ**U** Авекевате Яесуссіив

Physical Address:

1675 Beck Street Salt Lake City, Utah 84116

Billing Address:

M. Salt Lake, Utah 84054 PO Box 540009

MATERIAL TICKET PICKET



Ph: 801-979-6658 Fax: 801-521-2313

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P.O. Box 572476

Phone 801-521-2312 Fax 521-2313

| (ui | ay #5 Other (Explain | vn #4 Train Dela | g #3 Truck Breakdov | nibsolnU S# gnibsoJ £ | ay Codes: # | Del Del |
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| Transport □ | Side End Dump | ⁄ : นุ฿ฺเฺឣ □ dɯn | □ Low Side End Du | en Wheeler | Γ <u>λ ≔αγΓ</u> | Truck |
| səsoh/s: | irking Brake Dut: | eld/Wipers Pe | quipment \(\times \) Windshig Devic | ic Oil ⊡Coolant Level Id Flaps | teering Mula Backup Ala | SI |
| | Accounting | | | | | |
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| | 0107.170.9 | | | | | |

White — To Applied Ex Office Link – Foreman Copy Canary Yellow — Mail To Customer Customer Signature: Driver Signature: Ending Mildge Travel Time Total Truck Hours Total Tons

HATU AGGREGATE 3231 BULDYD39

Physical Address:

Billing Address:

1675 Beck Street Salt Lake City, Utah 84116

Ы. Salt Lake, Utah 84054 РО Вох 540009

MATERIAL TICKET



Ph: 801-521-2313

30,82+ Material

(Please Specify)

Trucking Co. / Picked up by Please include phone #

Customer Name (please print)

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909-T

License or Truck #

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Dump/Truck & Pup

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lio2 qoT □

□ 3/4" Minus Gravel

AfA auniM "€ 🛚

◯Copple (3"- 4")

☐ 1/2" Minus Roadbase

904055939 Back-Up for Import of Cobble

Thank you for your business!



Picked Up



| suoT | spunod | _ |
|-------|--------|-------|
| Sp.88 | 116900 | Gross |
| 17.92 | 23420 | Tare |
| 27.15 | 63480 | J9N |

:dol Account Ьэу: :euoZ

BHAPPLIB - LIBERTY CENTER - quq Mith Pup - 9799A 281437 Applied Ex Inc 00040-2 - Beef Hollow - Malibu 12:00:47PM 12/4/2015

Vehicle: Customer: Locations Date:

Order:

Dest.:

Product:

12/4/2015

IT IS THE RESPONSIBILITY OF EACH CUSTOMER AND EACH O

SHINAGMO

STAKER PARSON

Weighmaster: Beef Hollow CUSTOMER COPY A7.18 Received: **PT.38** Received: 00.0 Ordered: 00.0 Ordered: Loads: 3 roads: Order Totals Today 1ST NORTH 3RD WEST PROVO Quant.: 31,74 Ton 02502 - 3" Ballast Crushed Rock

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:.O.9

904022940

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23420

117400

spunod

31.99

17.92

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suol

Picked Up

Thank you for your business!

:.qsiQ

:.0.9 :dol Account Pay: : **auo7**

noT 69.18 :: JnsuD

BHAPPLIB - LIBERTY CENTER - quq ditw qmud bn3 - 9799A 281437 Applied Ex Inc 00040-2 - Beef Hollow - Malibu

2:10:02PM

Order: Vehicle:

Customer:

Locations

Date:

Received:

Dest .:

02502 - 3" Ballast Crushed Rock Product:

Received: **CUSTOMER COPY** Weighmaster: Beef Hollow Received: 173.48 Received: 31.99 00.0 Ordered: 00.0 Ordered: Loads: Coads: 1ST NORTH 3RD WEST PROVO Today Order Totals

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022943

07989

23450

117060

Pounds

Picked Up

31.82

17.92

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suoT



J9N

Tare

Gross

Thank you for your business!

noT 28.15 :. fran D

Account

00040-2 - Beef Hollow - Malibu

12/4/2015 BINAGMO STAKER | PARSON Date:

Customer: Location

BHAPPLIB - LIBERTY CENTER Order: - quq ditw qmud bn3 - 9799A Vehicle:

Dest ::

02502 - 3" Ballast Crushed Rock Product:

281437 Applied Ex Inc

3:52:51PM

Received: Weighmaster: Beef Hollow CUSTOMER COPY 31.82 Received: 28.652 Received: 00.0 Ordered: 00.0 Ordered: coads: гозда: 1ST NORTH 3RD WEST PROVO Today Order Totals

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Pay:

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IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.



| | Sh: E | 23.88 | Inbecohob | 3,5 | 00:5 | Þ |
|--|------------------------------|--|-----------------|---------------------------------------|--------------|---------|
| | 01:00 | 11.550 | 75P66040P | 3" Zack | 01:1 | ε |
| | 13:30 | 175.8R | 55 750 HOP | Assal 12 | shill | 7 |
| | _51:01 | 68191 | 1985 | 31.12.06 | 51:8 | I |
| Delay | Dump Time | suo <u>T</u> | Ticket # | Material | SmiT bsod | Гоза |
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| ob Name: Liberth Chriter Job Address: | | | | | | |
| Customer Name: | | | | | | |
| - NON - TUE - WED THUR - SAT DATE: 17-4-15 | | | | | | |
| □ Transport | dmud bn3 əbi | g d§iH □ dmi | Fow Side End Du | en Wheeler Pup | [ype: □1 | Truck |
| Engine Oil THydraulic Oil 4 Coolant Level 4 Fuel 4 Turn Signals 4 Eights their Leaks 1987 ABrakes AHorns 4 Mirrors 4 Backup Alarm 11 ires 11 Fressure 16 Coupling Devices 17 Wheels Rims/Lugs 101: | | | | | | |
| Driver Must Inspect the Following Items Prior to Driving This Commercial Vehicle. Check the Box If Okay | | | | | | |
| | (əmiT) teu(bA sə) | K# 4 Brak | lonsIruc | /22/77 Fuel Gal | _ə§səliM gni | Beginn |
| | 801-521-2312 801-521-2313 | THE REAL PROPERTY OF THE PERSON OF THE PERSO | PPLIED EX I | P.O. Box 572476 Murray, Utah 84157 | | |

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Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)

RECYCLING 3201 AGGREGATE HATU

Salt Lake City, Utah 84116 1675 Beck Street Physical Address:

N. Salt Lake, Utah 84054 PO Box 540009 Billing Address:

<u> әшіТ</u>

_51.8

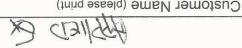
PICK-UP TICKET **JAIRITAM**



Fax: 801-521-2313 Ph: 801-979-6658

Loaded By

Driver (print name)



| Material Cobble (3"- 4") Alama Minus Min | # YLL cense or Truck # |
|--|---|
| (+68.91) | Trucking Co. / Picked up by Please include phone # ———————————————————————————————————— |
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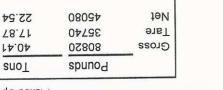
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| 5145-61 | Mark |
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| erty Center | JU 25/ |
| (Please Specify) | Dump/Truck & Pup |
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| lio≳ qoT □ | ☐ Bobtail ☐ 10 Wheeler |
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| +68.91) | Please include phone # |
| 2011 | Trucking Co./ Picked up by |

904022933 Back-Up for Import of

Thank you for your business!

6 B I N Y 4 W D STAKER PARSON

Picked Up



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Quant.: 22.54 Ton

00040-2 - Beef Hollow - Malibu MA72:88:11 12/4/2015

Customer: Location: Date:

- Gemi End Dump -281437 Applied Ex Inc

Order: Vehicle:

BHAPPLIB - LIBERTY CENTER

Dest ::

02502 - 3" Ballast Crushed Rock Product:

| 1 | Weighmaster: Beef Hollow | | CUSTOMER COPY | ecejved: |
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| 0.00 22.54 | Loads: Ordered: Received: | 0.00 | Loads: , | |
| Totals | | Today | | OVOA9 TSEW GAE HTROV TST |

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

904022937

Picked Up

| <u> </u> | | |
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| 11.62 | 46220 | JəN |
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| suoT | Pounds | |

Thank you for your business!

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BHAPPLIB - LIBERTY CENTER - Gemi End Dump -281437 Applied Ex Inc 00040-2 - Beef Hollow - Malibu 1:31:36PM 12/4/2015

Order: Vehicle: Customer:

Location:

Received:

Date:

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Received:

02502 - 3" Ballast Crushed Rock Product:

> SBINVAWOO STAKER PARSON

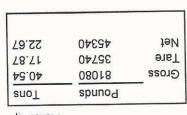
CUSTOMER COPY Weighmaster: Beef Hollow Received: 38.601 Received: 23.11 Ordered: Ordered: 00.0 00.0 Loads: rosqs: 1ST NORTH 3RD WEST PROVO Today Order Totals

Ouant: 23.11 Ton

IT IS THE RESPONSIBILITY OF EACH CUSTOMER, AND EACH DRIVER, TO COMPLY WITH HIGHWAY LOAD LIMIT LAWS. I AGREE TO THE TERMS AND CONDITIONS ON THE BACK OF THE TICKET.

146220406

Picked Up



Thank you for your business!

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Quant.: 22,67 Ton

SHINYHWO STAKER | PARSON

281437 Applied Ex Inc Customer: 00040-2 - Beef Hollow - Malibu Location: Date: 12/4/2015 M981:70:6

Order: BHAPPLIB - LIBERTY CENTER - gmud bna imae - 499A ∀ehicle:

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| ast Crushed Rock | 02502 - 3" Ball | Product: |
|------------------|------------------|---------------------------------|
| | ast Crushed Rock | 02502 - 3" Ballast Crushed Rock |

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| 1ST NORTH 3RD WEST PROVO | | Today | | Order Totals |



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| _ Transport | | | | on Wheeler □ Pup | | <u> Iruck 1</u> |
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| | 251-2313 801-621-2312 | | PLIED EX II | P.O. Box 572476 Nurray, Utah 84157 | M | |

| | Pink — Foreman Copy | Canary Yellow — Mail To Customer | White — To Applied Ex Office | |
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| | ature: | Driver Sign | | Customer Signature: |
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Evans Grader & Paving 801-377-9999



| (| #5 Other (Explain | 1 #4 Train Delay | #3 Truck Breakdown | Loading #2 Unloading | t# :səpoo k | Dela |
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| Transport □ | ide End Dump | S 서울iH □ dwn | □ Low Side End D | en Wheeler Pup | Type: □ T | Truck |
| lorns □Mirrors s/Hoses | Wing Brake ⊓Bell | eld/Wipers Pa | idsbniw□ Jn9mqiup | ic Oil □Coolant Level □ d Flaps □Emergency Ed rm □Tires □Tire Press | มพ่า ยูกกรอง | ⊐Engine □5 |
| х ІГ Окау | le. Check the Bo | Sommercial Vehic | Prior to Driving This (| ect the Following Items | iver Must Insp | υDr |
| | _(əmiT) teu[bA eə | ck# Prak | nı <u>ı </u> | 182313, Fuel Gal | əğsəliM grin | Begin |
| | 801-521-2312 801-521-2312 | INC Lyoue | PPLIED EX | P.O. Box 572476 72198 Alah 94157 | | |

Total Tons

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| PROJECT INFO Date: Project Name: Project Address: City: Superintendent: | | H . | |
| BILLING INFO Bit is Address: Lote Miseck Strong St | MATERIAL 1/4" MINUS PIPE BED 1/4" MINUS PIPE BED 1/4" NON SPEC ROAD BASE 1/4" NOCK 1/ | DRIVER'S INFO Driver's Cell: 385-695-8 HS Truck Company: 51ate: 528 6 Pup Side Dump Belly Dump | Double Belly Other: NO COMPENSATION MADE FOR MOISTURE This Form Must Be Completed For Each Load |

Evans Grader & Paving 801-377-9999

Back-Up for Import of Cobble



Murray, Utah 84167 APPLIED EX INC.

Fax 521-2313 Phone 801-521-2312

P.O. Box 572476

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| Brake Relts/Hoses | gnals ⊔Llghts ⊐Air Leaks indshield√Wipers ⊐Parking g Devices ⊐Wheels∕Rims/L | ergency Equipment DWI | DIMING LISTS DEM | Simpore |
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| □ Transport | dmud bna ebis | dmu □ dmu o | □ Low Side End | Gen Wheeler 🗆 Pup | Type: | Truck |
| Horns □Mirrors Its/Hoses | rking Brake | nield/Wipers Pa | ispuim luəwdin | ic Oil □Coolant Level □I td Flaps □Emergency Eq arm □Tires □Tire Pressu | IMIT SILLIANCE | əni§n∃□ }□ |

Pink – Foreman Copy White — To Applied Ex Office Canary Yellow — Mail To Customer Driver Signature: Customer Signature: Ending Milage _ Total Tons____ Travel Time Total Truck Hours Delay Codes: #1 Loading #2 Unloading #3 Truck Breakdown #4 Train Delay #5 Other (Explain)

PROJECT INFO

IRONTON PIT PRODUCTS

BILLING INFO

| Bill To: HAYIED EX | Date: 12-3-15 | | |
|---------------------------------|--|--------|-----|
| Address: Left N. Reck St | Project Name: | CENTER | |
| City: North Call LAKE Zip. | Project Address: 100 N | 3000 | |
| Phone: 501-254-0109 | City: \ \ City & | Zip: | |
| Contact: Krinn Burton | Superintendent: | -X/ | |
| Email: | | | 600 |
| MATERIAL | 1-16,98-35.01 | 10.6 | |
| 12"-3" ROCK 12" MIN | %" MINUS PIPE BED | | |
| %" NON SPEC ROAD BASE %"-2" C | ¾"-2" DRAIN ROCK | | |
| 3" MINUS FILL 6" MINUS FILL | S FILL | | |
| 2" - 4" ROCK 6"-12" ROCK | OCK | | |
| 2" – 6" DRAIN ROCK 12"-18" ROCK | ROCK | | |
| TOPSOIL 18"-36" ROCK | ROCK | | |
| PEA GRAVEL SLAG | | | |
| OTHER | | | |
| DRIVER'S INFO | | | |
| Driver's Name: Mrkgel Line | 1 | | |
| Driver's Cell: 801 - 557 - 7014 | | | |
| Truck Company: | and the second s | | |

Evans Grader & Paving 801-377-9999

Truck Type: Dump Dump & Pup Side Dump Belly Dump

Truck License #

Double Belly Other:

NO COMPENSATION MADE FOR MOISTURE This Form Must Be Completed For Each Load

E.T Technologies 3110 West California Ave Ste D Salt Lake City, UT 84104

Voice: 801-977-0731 Fax: 801-977-0741

Testing for Contaminated Soils Invoice

Invoice Number: 4705

Invoice Date: Dec 15, 2015

Page:

Duplicate

Ship to:

Applied EX PO Box 540009 North Salt Lake, UT 84054

| Bill To: |
|--|
| Applied EX PO Box 540009 North Salt Lake, UT 84054 |

| | Customer ID | Customer PO | Payment Terms | | |
|----|----------------|-----------------|---------------|------------|--|
| -[| AP112 - 95-944 | | Net 30 Days | | |
| | Sales Rep ID | Shipping Method | Ship Date | Due Date | |
| | | 95-944 | | 1/14/16 | |
| L | | 00 011 | | 17 1 17 10 | |

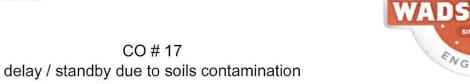
| Quantity | Item | Description | Unit Price | Amount |
|-------------------------|---------------------------|---|------------|----------|
| | | 11/20/15 - Samples collected at 100 North | | |
| | | 300 West | | |
| | • | | | |
| 4.00 | | Project Manager | 90.00 | 360.00 |
| 1.00 | | 2 Samples - Collecting and Analysis | 1,800.00 | 1,800.00 |
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| | | O. HA-4-I | | 0.460.00 |
| | | Subtotal | | 2,160.00 |
| | PAYMENT OPTION: | Sales Tax | | |
| | mith - 303-680-9414 | Total Invoice Amount | | 2,160.00 |
| 3% cnarge wi l l | be added to total invoice | Payment/Credit Applied | | |
| | | TOTAL | | 2,160.00 |

8

Ralph L Wadsworth Construction

166 E 14000 S Ste 200 Draper, UT 84020

20-Jan-16



| | qty | uom | | \$ / uom | cost |
|---------------------------------|-----|-----|---------------|-----------|-----------------|
| standby for soils contamination | 1 | LS | \$ | 33,261.44 | \$ 33,261.44 |
| | | | Total CO # 11 | | \$ 33,261.44 |

| ACCEPTED: | | |
|---------------|-------------------|--|
| | Kier Construction | |
| DATE: | | |
| RLW approval: | RLW Construction | |
| | KLW Construction | |
| DATE: | | |

| | Nov 10 - Dec 9 = 30 | calendar o | lays | | | |
|------------------------------|--------------------------|-------------|--------|--------------|----|------------------|
| equipment | QTY | UOM | | \$ / unit | | ext cost |
| crane | 30 | days | \$ | 338.36 | \$ | 10,150.80 |
| discount for Mandala's usage | -1 | ls | \$ | 1,956.73 | \$ | (1,956.73 |
| Forklift usage | 24 | hrs | \$ | 45.00 | \$ | 1,080.00 |
| Trailer usage | 160 | hrs | \$ | 1.00 | \$ | 160.00 |
| warehouse lift usage | 0 | hrs | \$ | 6.50 | \$ | 3 3 0 |
| gang panels | 30 | days | \$ | 22.26 | \$ | 667.80 |
| column clamps | 30 | days | \$ | 6.41 | \$ | 192.33 |
| | | total | equip | oment costs | \$ | 10,294.20 |
| | | | | 10% profit | | \$1,029.64 |
| | tota | al equipme | nt cha | arges for CO | \$ | 11,323.84 |
| | * Mobilization cost | 4 3 | al. | | | |
| Mobilization Costs | 1.0 | mon | \$ | 19,943.27 | \$ | 19,943.27 |
| | total mobilization costs | | | | | 19,943.27 |
| | | | | 10% profit | • | \$1,994.33 |
| <u> </u> | total | mobilizatio | on cha | rges for CO | \$ | 21,937.60 |
| TOTAL R | ELATED COS | STS | | | \$ | 33,261.44 |
| | * Mobilization cost | : - 1.2 mon | ths | | | |
| Allen Hanson | 22 | days | \$ | 509.90 | \$ | 11,217.80 |
| Truck | 22 | days | \$ | 72.00 | \$ | 1,584.00 |
| loel Eberhard | 11 | days | \$ | 576.77 | \$ | 6,344.47 |
| Vehicle | 11 | days | \$ | 52.00 | \$ | 572.00 |
| phone | 30 | days | \$ | 7.50 | \$ | 225.00 |
| | | total r | nobili | zation costs | \$ | 19,943.27 |
| | | | | 10% profit | | \$1,994.33 |
| | 0.0.1 | | | rges for CO | d | 21,937.60 |

| TY 0 1 4 60 0 | UOM days Is hrs hrs hrs | \$ \$ \$ \$ | \$ / unit 338.36 1,956.73 45.00 1.00 | \$ \$ \$ \$ | ext cost 10,150.80 (1,956.73 1,080.00 |
|------------------------------|-------------------------|---|---|--|--|
| 1 4 50 | ls hrs hrs | \$ \$ \$ | 1,956.73 45.00 | \$ | (1,956.73 |
| 4 60 0 | hrs hrs | \$ \$ | 45.00 | - 15 | |
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| 0 | | \$ | 6.50 | \$ | 1501 |
| ~ | days | \$ | 22.26 | \$ | 667.80 |
| 0 | days | \$ | 6.41 | \$ | 192.33 |
| total equipment costs | | | | \$ | 10,294.20 |
| | | | 10% profit | | \$1,029.64 |
| total | l equipme | nt cha | arges for CO | \$ | 11,323.84 |
| cost | - 1.2 mon | ths | | | |
| .0 | mon | \$ | 19,943.27 | \$ | 19,943.27 |
| | total n | nobili | zation costs | \$ | 19,943.27 |
| | | | 10% profit | | \$1,994.33 |
| total n | mobilizatio | on cha | rges for CO | \$ | 21,937.60 |
| ı (| cost 0 | total equipme cost - 1.2 mon mon total n | total equipment characteristics total equipment characteristics cost - 1.2 months mon \$ total mobilization characteristics | total equipment costs 10% profit total equipment charges for CO cost - 1.2 months 0 mon \$ 19,943.27 total mobilization costs 10% profit cotal mobilization charges for CO | total equipment costs \$ 10% profit total equipment charges for CO \$ cost - 1.2 months mon \$ 19,943.27 \$ total mobilization costs \$ 10% profit cotal mobilization charges for CO \$ |

Invoice

| DATE | INVOICE # |
|------------|-----------|
| 10/26/2015 | 62205 |

BRONSON CRANE

P.O. Box 2048 West Jordan, UT 84084 801-963-7850 Fax: 801-963-7654

BILL TO

Ralph L. Wadsworth Construction 166 East 14000 South, Suite 200 Draper, UT 84020

| TERMS | NAME/PROJECT |
|--------|----------------|
| Net 30 | Liberty Center |

| | | | here and the | , | | | |
|-------|--|----------------------|-----------------------------|-------------------------------------|----------------------|---------------|------|
| ITEM | DESCRIPTION | QT | Y napit has kenghasia | RATE | there more real | AMOU | NT |
| 2143R | Crane Rent 10-26-15 Through 11-25-15 Sales Tax 10,150.75 + 40 NL 10,150.75 + 4 | DAYS DAYS TIME DAI | = 43 = 3 = 13 = 14 | 3,56/H 3,56/H 4,2.30 4NDAL | 00.00 .85% (L) | 9,500.0 65 | 0.75 |
| | | T | Total | -1 | | | |

Total

\$10,150.75

| we | eek | mandala | 8 hour day | unutilized |
|--------|---------|---------------|--------------|------------|
| 10-Nov | 15-Nov | 9.586 | 32 | 22.414 |
| 16-Nov | 22-Nov | 6.250 | 40 | 33.75 |
| 23-Nov | 29-Nov | 0.5 | 40 | 39.5 |
| 30-Nov | 6-Dec | 8.579 | 40 | 31.421 |
| 7-Dec | 13-Dec | 7.498 | 40 | 32.502 |
| 14-Dec | 15-Dec | 1 | 16 | 15 |
| | hours | 33.413 | 208 | 174.587 |
| | | 16.06% | percent used | 83.94% |
| | | hourly \$ | \$ 58.562 | |
| | | hours | 33.413 | |
| | Mandala | 's usage cost | \$ 1,956.73 | |

Jobs: 15019- - 15019-

All Months

Phases: 3339035.001 - 3339035.001 Cost Types: 8 - 8
Dates: 11/10/15 - 12/15/15 All JC Transaction Types All Depa

Units: Actual

All Departments

Posted Actual Trans

| | | Posted | Actual | Trans | 1 | | | | |
|-------|----------|---------------|------------|--|------------|--|-------|-------|---------------------|
| Mth | Trans# | Date | Date | Type | Source | Description | Units | Hours | Cost |
| | | | | NAME OF TAXABLE PARTY. | | 15019- Liberty Center | | | TALLER CO. MINISTRA |
| 333 | 9035.001 | | Equipmen | t Use | 8 EQUIP | | | | |
| | 4423 | 11/11/15 | 11/02/15 | | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 470 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 4424 | 11/11/15 | 11/02/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 471 / Rev Code: 1Hourly | 0.000 | 3.00 | 135.00 |
| 11/15 | 4425 | 11/11/15 | 11/03/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 475 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 4426 | 11/11/15 | 11/03/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 476 / Rev Code: 1Hourly | 0.000 | 3.00 | 135.00 |
| 11/15 | 4427 | 11/11/15 | 11/04/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 480 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 4428 | 11/11/15 | 11/04/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 481 / Rev Code: 1Hourly | 0.000 | 3.00 | 135.00 |
| 11/15 | 4429 | 11/11/15 | 11/05/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 485 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 4430 | 11/11/15 | 11/05/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 486 / Rev Code: 1Hourly | 0.000 | 3.00 | 135.00 |
| 11/15 | 4431 | 11/11/15 | 11/06/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 489 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 4432 | 11/11/15 | 11/06/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 490 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 11/15 | 12445 | 11/16/15 | 11/08/15 | PE | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| 11/15 | 12729 | 11/16/15 | 11/15/15 | PE | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| | 18773 | | 11/09/15 | | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 962 / | 0.000 | 2.00 | 90.00 |
| 11110 | 10110 | 11/10/10 | 11/00/10 | | LIVITO | Rev Code: 1Hourly | 0.000 | 2.00 | 90.00 |
| 11/15 | 18774 | 11/18/15 | 11/10/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 963 / Rev Code: 1Hourly | 0.000 | 2.00 | 90.00 |
| 11/15 | 18775 | 11/18/15 | 11/11/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 964 / Rev Code: 1Hourly | 0.000 | 2.00 | 90.00 |
| 11/15 | 18776 | 11/18/15 | 11/12/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 965 / Rev Code: 1Hourly | 0.000 | 2.00 | 90.00 |
| 11/15 | 18777 | 11/18/15 | 11/13/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 908 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 18778 | 11/18/15 | 11/13/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 966 / Rev Code: 1Hourly | 0.000 | 3.00 | 135.00 |
| 11/15 | 29094 | 11/23/15 | 11/16/15 | Hills 9 | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 1495 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 29095 | | 11/16/15 | | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 1549 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| | 29096 | | 11/17/15 | AND DESCRIPTION OF THE PARTY OF | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 1496 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | | | 11/17/15 | | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 1550 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 11/15 | | | 11/18/15 | | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 1497 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | | | 11/18/15 E | | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 1551 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 11/15 | | town-day town | | MV AND DES | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 1498 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | | | 11/19/15 E | TTIS. | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 1552 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 11/15 | 29102 | 11/23/15 | 11/20/15 E | ΞM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 1499 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |

6 Ralph L. Wadsworth Construction Company, LLC Date Format - MM/DD/YY

Page 1

01/15/16 04:12:42 PM _____JCDetail.rpt_

Jobs: 15019- - 15019-All Months

Phases: 3339035.001 - 3339035.001

Cost Types: 8 - 8

Units: Actual

Dates: 11/10/15 - 12/15/15

| | | Posted | Actual | Trans | | | | | |
|-------|--------|----------|------------------------|---|------------|--|------------------------------------|---|---|
| Mth | Trans# | Date | Date | | Source | Description | Units | Hours | Cost |
| | | | NO CONTRACTOR S | | | 15019- Liberty Center - Continued | alacine vedinom per il la co- amov | CONTRACTOR OF THE STATE OF THE | Section Conference and Constitution and Section 1 |
| 11/15 | 29103 | 11/23/15 | 11/20/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 1553 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 11/15 | 38656 | 11/30/15 | 11/22/15 | PE | JC Progres | | 0.229 | 0.00 | 0.00 |
| 11/15 | 41640 | 12/01/15 | 11/23/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 2258 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 41641 | 12/01/15 | 11/23/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 2259 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 11/15 | 41642 | 12/01/15 | 11/24/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 2264 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 41643 | 12/01/15 | 11/24/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 2265 / Rev Code: 1Hourly | 0.000 | 2.00 | 90.00 |
| 11/15 | 41644 | 12/01/15 | 11/25/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 2268 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 41645 | 12/01/15 | 11/25/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 2269 / Rev Code: 1Hourly | 0.000 | 2.00 | 90.00 |
| 11/15 | 41646 | 12/01/15 | 11/26/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 2272 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 41647 | 12/01/15 | 11/27/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 2275 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 11/15 | 51473 | 12/04/15 | 11/29/15 | PE | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| 11/15 | 75793 | 12/09/15 | 11/30/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 2502 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | 5090 | 12/09/15 | 12/01/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 342 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | 5091 | 12/09/15 | 12/02/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 346 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | 5092 | 12/09/15 | 12/03/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 350 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | 5093 | 12/09/15 | 12/03/15 | in . | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 351 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 12/15 | 5094 | 12/09/15 | 12/04/15 | EM | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 355 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| | 17568 | 12/14/15 | 12/06/15 | | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| | 18459 | | 12/13/15 | AND DESCRIPTION OF THE PERSON | _ | No Description Entered | 0.229 | 0.00 | 0.00 |
| | 19344 | | 12/07/15 | 50 | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 920 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | | | 12/07/15 | | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 921 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 12/15 | | 12/15/15 | 12/08/15 | ESENIO | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 924 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | | 12/15/15 | | | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 925 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 12/15 | | 9 | 12/09/15 | | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 928 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | | 12/15/15 | 12/09/15 | EM I | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 929 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 12/15 | | | 12/10/15 | | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 932 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |
| 12/15 | 19351 | | 1 <mark>2/10/15</mark> | | | 23.021 15 CAT TL943C / Equipment Usage / 933 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| 12/15 | 19352 | 12/15/15 | 12/11/15 | EM E | EMRev | 10.114 09 Big Tex Utility Trailer / Equipment Usage / 936 / Rev Code: 1Hourly | 0.000 | 8.00 | 8.00 |

Jobs: 15019- - 15019-

Dates: 11/10/15 - 12/15/15

Phases: 3339035.001 - 3339035.001

3339035.001 Cost Types: 8 - 8 All JC Transaction Types All Depa

Units: Actual

All Departments

Posted Actual Trans

All Months

| Mth | Trans# | Date | Date | Type | Source | Description | Units | Hours | Cost |
|-------|--------|----------|----------|------|--------|---|-------|--------|----------|
| | | | | | | 15019- Liberty Center - Continued | | | |
| 12/15 | 19353 | 12/15/15 | 12/11/15 | EM | EMRev | 23.021 15 CAT TL943C / Equipment Usage / 937 / Rev Code: 1Hourly | 0.000 | 1.00 | 45.00 |
| | | | | | | Total for Cost Type: 8 | 1.374 | 248.00 | 2,008.00 |
| | | | | | | Total For Phase: 3339035.001 | | 248.00 | 2,008.00 |
| | | | | | | Total For Job: 15019- | | 248.00 | 2,008.00 |
| | | | | | | Total For Company:6 | | 248.00 | 2,008.00 |



Shor Company 4446 West 1730 South Salt Lake City, Utah 84104

Telephone: (801) 487-1656 (801) 487-1650 Fax:

(Good for 30 Days)

RL WADSWORTH CONSTRUCTION

Attn: Joel

Fax:

Project: Forming

Date: January 5, 2016

Quote # 160105

We Propose To Furnish the Following Material:

RENTAL:

Gang forms for concrete walls utilizing walers, strong backs, walkway Brackets on one side, she bolts or Taper ties & connecting hardware. (Enough material to do 34' of wall 12' tall)

\$625/30 days \$ 20.33 /DAY

8"- 24" Gates Lok-Fast column clamp (w/ squaring corners, 24 column clamps)

\$180/30 days \$6.00/ DAY

PLUS TAX

64 DAYS = 2 MONTHS & 4 DAYS

Paras

COLUMN CLAMPS # 410,30
TOTAL \$ 1,834.95

Notice: A charge of 2% of value will be assessed if forms are not returned cleaned and oiled. Form plywood faces and steel rails require cleaning by brushing with a wire brush or rubbing with a burlap cloth to remove concrete buildup.

STATE SALES TAX: TO BE PAID BY CONTRACTOR F.O.B.: FOR-SHOR'S YARD SLC UT. FREIGHT PAID BY CONTRACTOR

TERMS: Net 30 Attachments: NO

Sincerely,

James Kearl

Design, Draftsman

















Jobs: 15019- - 15019-

Phases: 0110000.001- 0110000.001

Units: Actual

All Months

0110000.001 Cost Types: 3 - 8
All JC Transaction Types All Departments Dates: 11/09/15 - 11/15/15

| N/I6h | Tropo# | Posted Date | Actual Date | Trans | | Description | l laite | Usons | 04 |
|-------|--------------------------|----------------|----------------|--------|---------------|--|---------|-------|----------|
| Mth | Trans# | Date | Date | Type | Source | Description | Units | Hours | Cost |
| | 2000 004 | | D . ! | | | 15019- Liberty Center | | | |
| | 0 000.001 1379 | | 11/01/15 | | ent - Offsite | No Description Entered | 0.229 | 0.00 | 0.00 |
| 11/15 | | | 11/02/15 | | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll | 0.000 | 0.00 | 138.86 |
| 11/10 | 0740 | 11/11/10 | 11102/10 | 111 | i is Linu j | Taxes & Burden | 0.000 | 0.00 | 150.00 |
| 11/15 | 9744 | 11/11/15 | 11/02/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden | 0.000 | 0.00 | 106.14 |
| 11/15 | 9745 | 11/11/15 | 11/03/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll Taxes & Burden | 0.000 | 0.00 | 138.86 |
| 11/15 | 9746 | 11/11/15 | 11/03/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden | 0.000 | 0.00 | 106.14 |
| 11/15 | 9747 | 11/11/15 | 11/04/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll Taxes & Burden | 0.000 | 0.00 | 138.86 |
| 11/15 | 9748 | 11/11/15 | 11/04/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden | 0.000 | 0.00 | 106.14 |
| 11/15 | 9749 | 11/11/15 | 11/05/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig90 Payroll Taxes & Burden | 0.000 | 0.00 | 138.86 |
| 11/15 | 9750 | 11/11/15 | 11/05/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig95 Payroll Tax & Burden | 0.000 | 0.00 | 106.13 |
| | | | | | | Total for Cost Type: 3 | 0.229 | 0.00 | 979.99 |
| 0110 | 000.001 | ı | Project Ma | nagem | ent - Offsite | 5 LABOR | | | |
| 11/15 | 1380 | | 11/01/15 | | | No Description Entered | 0.229 | 0.00 | 0.00 |
| 11/15 | 9751 | 11/11/15 | 11/02/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR | 0.000 | 10.00 | 475.96 |
| 11/15 | 9752 | 11/11/15 | 11/03/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR | 0.000 | 10.00 | 475.96 |
| 11/15 | 9753 | 11/11/15 | 11/04/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR | 0.000 | 10.00 | 475.96 |
| 11/15 | 9754 | 11/11/15 | 11/05/15 | PR | PR Entry | 1/100 1.00 / 307 / Eberhard , Joel Craig1 LABOR | 0.000 | 10.00 | 475.96 |
| | | | | | | Total for Cost Type: 5 | 0.229 | 40.00 | 1,903.84 |
| | 000.001 | F | Project Ma | nageme | ent - Offsite | | | | |
| 11/15 | 1381 | 11/09/15 | 11/01/15 | PE | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| 11/15 | 4411 | 11/11/15 | 11/02/15 | EM | EMRev | 99.9002 AA Joel Eberhard / Equipment Usage / 472 / Rev Code: 1Hourly | 0.000 | 10.00 | 65.00 |
| 11/15 | 4412 | 11/11/15 | 11/03/15 | EM | EMRev | 99.9002 AA Joel Eberhard / Equipment Usage / 477 / Rev Code: 1Hourly | 0.000 | 10.00 | 65.00 |
| 11/15 | 4413 | 11/11/15 | 11/04/15 | EM | EMRev | 99.9002 AA Joel Eberhard / Equipment Usage / 482 / Rev Code: 1Hourly | 0.000 | 10.00 | 65.00 |
| 11/15 | 4414 | 11/11/15 | 11/05/15 | EM | EMRev | 99.9002 AA Joel Eberhard / Equipment Usage / 487 / Rev Code: 1Hourly | 0.000 | 10.00 | 65.00 |
| | | | | | | Total for Cost Type: 8 | 0.229 | 40.00 | 260.00 |
| | | | | | | Total For Phase: 0110000.001 | | 80.00 | 3,143.83 |
| | | | | | | Total For Job: 15019- | | 80.00 | 3,143.83 |
| | | | | | | Total For Company:6 | | 80.00 | 3,143.83 |

Jobs: 15019- - 15019-

Date Format - MM/DD/YY

P- Phases: 0111000.001- 0111000.001 Cost Types: 3 - 8
All Months All Dates All JC Transaction Types All Departments Phases: 0111000.001 - 0111000.001

Units: Actual

JCDetail.rpt

| Mth | Trans# | Posted Date | Actual Date | Trans Type | Source | Description | Units | Hours | Cos |
|-------|----------------|----------------|----------------------|---------------|-------------------|--|-----------------------|---------------------|--------------------------|
| | | | | | | 15019- Liberty Center - Continued | | | |
| 12/15 | 27380 | 12/17/15 | 12/11/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.02 |
| 12/15 | 27381 | 12/17/15 | 12/11/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.15 |
| 12/15 | 29471 | 12/18/15 | 12/18/15 | PF | JC Projctn | No Description Entered | 0.000 | 0.00 | 0.00 |
| 12/15 | 32121 | 12/21/15 | 12/13/15 | PE | JC Progres | No Description Entered | 0.100 | 0.00 | 0.00 |
| 12/15 | 39144 | 12/23/15 | 12/15/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.01 |
| 12/15 | 39145 | 12/23/15 | 12/15/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.20 |
| | 39146 | 12/23/15 | 12/16/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.01 |
| | 39147 | | 12/16/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.20 |
| | 39148 | | 12/17/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.01 |
| | 39149 | | 12/17/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.20 |
| | 39150 | 12/23/15 | 12/18/15 | (Harranan | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.01 |
| | 39151 | 12/23/15 | 12/18/15 | - | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.20 |
| | 42129 | | 12/20/15 | | | No Description Entered | 0.229 | 0.00 | 0.00 |
| | 49187 49188 | | 12/21/15 12/21/15 | | PR Entry PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.01 |
| | 49189 | | 12/22/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden 1/100 1.00 / 297 / Hanson , Allen W90 Payroll | 0.000 | 0.00 | 74.20 103.01 |
| | 49190 | | 12/22/15 | | PR Entry | Taxes & Burden 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax | 0.000 | 0.00 | 74.20 |
| 12/15 | | | 12/23/15 | | PR Entry | & Burden 1/100 1.00 / 297 / Hanson , Allen W90 Payroll | 0.000 | 0.00 | 103.01 |
| | | ****** | | | | Taxes & Burden | | | |
| | 49192 | | 12/23/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.20 |
| 12/15 | | | 12/24/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 77.26 |
| | 49194 | 12/30/15 | | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 55.64 |
| 2/15 | | 12/30/15 | | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W90 Payroll Taxes & Burden | 0.000 | 0.00 | 103.02 |
| 2/15 | | 12/30/15 | | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W95 Payroll Tax & Burden | 0.000 | 0.00 | 74.16 |
| 2/15 | 50684 | 12/31/15 | 12/27/15 | PE | JC Progres | No Description Entered Total for Cost Type: 3 | 0.228 4.300 | 0.00 0.00 | 0.00 14,990.96 |
| | 00.001 | | | 1 | nt- On Site | 5 LABOR | | | |
| 7/15 | 29447 | 07/23/15 | 07/23/15 | | 155 | No Description Entered | 0.000 | 0.00 | 0.00 |
| 8/15 | | 08/28/15 | | | | No Description Entered | 0.229 | 0.00 | 0.00 |
| 8/15 | | 09/03/15 | | | ATTOMATON OF THE | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 5.50 | 228.73 |
| 8/15 | | | 08/27/15 | | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 6.00 | 249.52 |
| 8/15 | 49132 | 09/03/15 | | | | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 9.00 | 374.28 |
| 8/15 | 55303 | 09/04/15 | 08/30/15 | PE | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |

Jobs: 15019- - 15019-

Phases: 0111000.001 - 0111000.001

Cost Types: 3 - 8

Units: Actual

Posted Actual Trans

All Months

| All Dates | All JC Tra | ansaction Types |
|------------------|------------|-----------------|
|------------------|------------|-----------------|

All Departments

| | | Posted | Actual | Trans | | | | | |
|-------|------------------------|----------------|------------------------|--|--------------------------------|--|--|--------|-----------|
| Mth | Trans# | Date | Date | | Source | Description | Units | Hours | Cost |
| | Colored September 1991 | ATEMATIC DIMER | moved on the middle of | | Over Calledon Albardo de Arres | 15019- Liberty Center - Continued | vide pullbass sich A. Vigares bones eroppen V. Mobiles | | |
| 12/15 | 32122 | 12/21/15 | 12/13/15 | PE | JC Progres | No Description Entered | 0.100 | 0.00 | 0.00 |
| 12/15 | 39152 | 12/23/15 | 12/15/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 39153 | 12/23/15 | 12/16/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 39154 | 12/23/15 | 12/17/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 39155 | 12/23/15 | 1 <mark>2/18/15</mark> | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 42130 | 12/23/15 | 12/20/15 | PE | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| 12/15 | 49197 | 12/30/15 | 12/21/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 49198 | 12/30/15 | 12/22/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 49199 | 12/30/15 | 12/23/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 49200 | 12/30/15 | 12/24/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 6.00 | 249.52 |
| 12/15 | 49201 | 12/30/15 | 12/25/15 | PR | PR Entry | 1/100 1.00 / 297 / Hanson , Allen W1 LABOR | 0.000 | 8.00 | 332.69 |
| 12/15 | 50683 | 12/31/15 | 12/27/15 | PE | JC Progres | No Description Entered | 0.228 | 0.00 | 0.00 |
| | | | | | | Total for Cost Type: 5 | 4.300 | 666.00 | 27,696.46 |
| | 000.001 | | | | | 8 EQUIP | | | |
| | 29448 | | 07/23/15 | | JC Projetn | No Description Entered | 0.000 | 0.00 | 0.00 |
| | 29296 | | 08/17/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 1785 / Rev Code: 1Hourly | 0.000 | 3.00 | 27.00 |
| | 29297 | 08/25/15 | | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 1788 / Rev Code: 1Hourly | 0.000 | 2.00 | 18.00 |
| | 29298 | | 08/19/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 1791 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 29299 | | 08/20/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 1792 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 29300 | | 08/21/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 1794 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 37156 | | 08/28/15 | | JC Progres | No Description Entered | 0.229 | 0.00 | 0.00 |
| | 42518 | | 08/24/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 2371 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 42519 | | 08/25/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 2373 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 42520 | | 08/26/15 | | EMRev | 01.8009 14 C 3/4 4 D CC / Equipment Usage / 2374 / Rev Code: 1Hourly | 0.000 | 5.50 | 49.50 |
|)8/15 | | | 08/26/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 2376 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 42522 | | 08/27/15 | | EMRev | 01.8009 14 C 3/4 4 D CC / Equipment Usage / 2377 / Rev Code: 1Hourly | 0.000 | 6.00 | 54.00 |
| | 42523 | | 08/27/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 2379 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 42524 | | 08/28/15 | | EMRev | 01.8009 14 C 3/4 4 D CC / Equipment Usage / 2380 / Rev Code: 1Hourly | 0.000 | 9.00 | 81.00 |
| | 42525 | | 08/28/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 2381 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| | 55316 | | 08/30/15 | | | No Description Entered | 0.229 | 0.00 | 0.00 |
| | 66486 | | 08/31/15 | | EMRev | 01.8009 14 C 3/4 4 D CC / Equipment Usage / 2640 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |
| 8/15 | | | 08/31/15 | | EMRev | 01.8033 15 C 3/4 4 G SC / Equipment Usage / 2641 / Rev Code: 1Hourly | 0.000 | 2.00 | 18.00 |
| 9/15 | | | 09/06/15 | The same of the sa | 185 | No Description Entered | 0.228 | 0.00 | 0.00 |
| 9/15 | 7786 | 09/14/15 | 09/01/15 | EM | EMRev | 01.8009 14 C 3/4 4 D CC / Equipment Usage / 259 / Rev Code: 1Hourly | 0.000 | 8.00 | 72.00 |

the Work of this Contract, the Contract Sum shall be increased by the actual additional costs plus overhead and profit proven by the Contractor to have been suffered by the Contractor as a consequence of such delay; provided, however, the Contractor agrees to limit the Owner's liability for daily General Conditions costs and damages suffered by the Contractor for a delay in the Work, such that the total aggregate liability of the Owner to the Contractor for daily General Conditions costs shall not exceed the fixed and agreed cap of One Thousand Three Hundred Dollars (\$1,300,00) for each calendar day for which the Contractor is entitled to a Contract Time extension. See Addendum No. 2 for the Daily General Conditions cost breakdown. This General Conditions Cap does not include and Contractor reserves the right to recover any additional General Conditions Costs incurred due to (a) delays occurring during winter conditions, or (b) costs incurred for additional days of needed crane usage.

§ 5.1.1 Based upon Applications for Payment submitted to the Architect Owner by the Contractor and Certificates for Payment issued by the Architect; Owner, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents. Progress payments shall be made according to the requirements of Owner's lender's documents.

§ 5.1.3 Provided that an Application for Payment is received by the Architect-Owner not later than the <u>last</u> day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the <u>last</u> day of the <u>following</u> month. If an Application for Payment is received by the Architect-Owner after the application date fixed above, payment shall be made by the Owner not later than (——) days after the Architect-the next lender <u>disbursement date or if there is no project lender, thirty (30) days after the Owner receives the Application for Payment.</u>

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. Documents and approved by the Owner. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form and supported by such data to substantiate its accuracy as the Owner and the Architect may require. This schedule, unless objected to by the Owner or the Architect, shall be used as a basis for reviewing the Contractor's Applications for Payment.

- Add that portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction within ninety (90) days (or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing), less retainage of percent (%): five percent (5 %) subject to the provisions of Section 5.1.8 below; further provided, that if the project lender's retention requirements are greater, such lender's requirements shall become the requirements of this Agreement. Payments for materials or equipment stored at the site, or stored off-site with written approval of the Owner, shall be conditioned upon submission by the Contractor of bills of sale or other documentation satisfactory to the Owner to establish the identity of the materials and equipment and the Owner's title to such materials and equipment. Payments for materials or equipment stored off-site shall also be





Change Order Request

15-54-00 — Liberty Center Apartments

COR Subject: Cost Impacts for Unforeseen Contaminated Soil Removal at East Side of Parking Garage & South Side of North/Center Residential Units

To Scot Safford

Cowboy Partners

6440 South Wasatch Boulevard

Holladay, UT 84121

801-424-4400

Return To Andrew Smith

Kier Construction Corporation

3710 Quincy Avenue Ogden, UT 84403

15-54-00-C.R.

COR Number: #025

COR Revision Number: 0

COR Date: 1/27/2016

Work Type : Price / Do Not

Proceed

Owner COR No: C.R. #025

Change Order Type: Owner

This COR is valid for 5 Days.

Details

| Line | Lines | | | | | | | | | |
|------------|-------|--|---------------|----------------|--------------|---------|-------|-------------|--|--|
| Line No | Code | Description | Туре | Cost / Rate | Qty / Hrs | Workers | Notes | Ext | | |
| 001 | 02200 | Applied X - Costs to remove contanimanted soils that were encountered on the East Side of the Parking Garage & South Side of the North Phase Residential Units. Costs include additional over-ex of contaminated soils and cobble that was required by ECS to bridge | Subcontractor | \$48,173.000 | 1.00 | - | | \$48,173.00 | | |

| Lines | | | | | | | | | |
|------------|-------|--|---------------|----------------|--------------|---|-------|-------------|--|
| Line No | Code | Description | Туре | Cost / Rate | Qty / Hrs | | Notes | Ext | |
| | | ground water. Per Quote Dated 01/16/2016 | | | | | | | |
| 002 | 03001 | Ralph L. Wadsworth - Costs attributed to extended Crane & Equipment Time including Supervisions due to impacts to progress at East Footings and Foundations for the Parking Garage. Per Quotes Dated 01/20/2016. | Subcontractor | \$33,261.440 | 1.00 | - | | \$33,261.44 | |
| 003 | | Kier Construction - Extended General Conditions for (20) Compensable Working Days to the overal CPM schedule. Dates are Nov. 20, 2016 through Dec. 09, 2016. Reference A101, Para. 4.5 (1) for back-up on Extended General Conditions. | Subcontractor | \$26,000.000 | 1.00 | - | | \$26,000.00 | |

Breakout

Subcontractor: \$107,434.44

Profit & Overhead Percent @ 7%: \$7,520.41

Total COR: \$114,954.85

Details / Description / Time Extension Request

Costs impacts for unforeseen contaminated soils discovered while excavating for the East Parking Garage Footings. Due to critical path impacts, we request (20) Compensable days be added to the CPM Schedule. Kier Construction was pro-active in addressing the unforeseen issues, and did their best to substantially minimize project delays.

Costs included in pricing extended crane time and equipment time for trades impacted by progress.

Reservation of Rights

The amount(s) set forth in this change order are reimbursement for the direct costs of all labor, material, and equipment necessary to perform the work described in this change order. All rights are reserved and changes and affects upon construction schedules, the original performance time, additional costs, methods, means, sequences and procedures of other contract work, and all other unforeseen circumstances caused by this change order are not included.

| ARCHITECT | CONTRACTOR | OWNER |
|--------------------------------------|---------------------------|---|
| Humphreys & Partners Architects, L.P | . Kier Construction Corp. | Liberty Center Properties, LLC by it's Manager Cowboy Partners, LLC |
| Address | Address | Address |
| | Andrew Smith | |
| ВҮ | BY US | ВҮ |
| DATE | DATE 1/27/2016 | DATE |



Change Order

| Date | Change Order # | | | |
|-----------|----------------|--|--|--|
| 1/16/2016 | 479 | | | |

| Name / Address | | |
|-------------------|------|--|
| Kier Construction | | |
| | | |
| | | |
| | | |
| | | |

Project

Liberty Center Provo

| Description | Qty | Cost | Total |
|---|-----|-----------|-------------|
| 580i Geo-textile fabric. Supply and install 500SY as directed by engineer. @\$4.10 SY Material @ \$1.25 SY install = total of \$5.35 SY | 500 | 5.35 | 2,675.00 |
| ET Technologies testing fees for samples of soil collected onsite | 1 | 2,160.00 | 2,160.00 |
| FOR BACK UP SEE EMAIL ATTACHMENT KIER LIBERTY CENTER SOIL TEST INVOICE BASEMENT CO #4705 | | | |
| Profit and Overhead 10% | 0.1 | 43,793.84 | 4,379.38 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | Total | \$48,173.22 |



Change Order

| Date | Change Order# | | | |
|-----------|---------------|--|--|--|
| 1/16/2016 | 479 | | | |

| er right is now extilled an external differen | 1994 (MIN-10-10-10-10-10-10-10-10-10-10-10-10-10- |
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Project

Liberty Center Provo

| Description | Qty | Cost | Total |
|---|--------|-------|-----------|
| Excavation and load trucks with hydro carbon contaminated material. 352.14 ton @ \$6/ton Increase rate due to slow digging and searching for contaminated material. | 352.14 | 6.00 | 2,112.84 |
| Export of existing material contaminated with hydro carbon to ET Technologies. 352.14 ton @ \$29/ton | 352.14 | 29.00 | 10,212.06 |
| FOR BACK UP SEE EMAIL ATTACHMENTS KIER LIBERTY CENTER ET EXPORT A KIER LIBERTY CENTER ET EXPORT B 3.5 hours @ \$150/hour truck time based on a 17 ton load. Cost was higher due to light loads and slow loading time. Light loads due to water content that couldn't splash out of the trucks and slower excavation due to exploratory digging finding contaminated areas. Import of Cobble rock to stabilize bottom of excavation. 395.09 tons @ \$36/ton. Based on 2 hour roundtrip and \$19/ton material cost. | 395.09 | 36.00 | 14,223.24 |
| FOR BACK UP SEE EMAIL ATTACHMENT KIER LIBERTY CENTER BASEMENT CO IMPORT COBBLE | | | |
| Installation of cobble. 395.09 ton @ \$5/ton | 395.09 | 5.00 | 1,975.45 |
| | | | |

Total



Change Order

| Date | Change Order# |
|-----------|---------------|
| 1/16/2016 | 479 |

| Name / Address | |
|-------------------|--|
| Kier Construction | |
| | |
| | |
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Project

Liberty Center Provo

| Description | Qty | Cost | Total |
|--|----------|--------|----------|
| Liberty Center-Removal of existing basement and contaminated materials | | 0.00 | 0.00 |
| 15 hours track hoe time-Misc exploratory digging finding limitations of foundation, exploratory digging for contaminated materials and excavating for de-watering. Demolishing/Removing concrete foundation, footings and floor. | 15 | 165.00 | 2,475.00 |
| 20 hours man time spotting for excavator and setting up/maintaining de-watering equipment for duration of CO. Assisting demo/removal of concrete foundation, footings and floor. | 20 | 45.00 | 900.00 |
| Excavation and loading trucks of existing material inside basement. Contaminated with debris and concrete. 1297.92 tons @ \$2.54/ton Cost was shared between unsuitable and contaminated materials due to the fact that other material had to be removed that went with the unsuitable in order to reach the contaminated material | 1,297.92 | 2.54 | 3,296.72 |
| Installation of E-fill. 1254.97 tons \$2.63/ton Cost was shared between unsuitable and contaminated materials due to the fact that E-fill had to be installed in areas where contaminated material was removed. | 1,297.92 | 2.63 | 3,413.53 |
| De-watering pump. | 1 | 350.00 | 350.00 |
| | T | Total | |

Total



P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC

Phone 801-521-2312 Fax 521-2313

| □Engine | Oil □Hydraul Steering □Mu | ic Oil □Coolant Level Id Flaps □Emergency I Idrinal □Tires □Tire Pres | □Fuel □Turn Signals Equipment □Windshi | □Lights □Air Le | eaks □Brakes □H Irking Brake □Beli | lorns □Mirrors |
|---------|--------------------------------|---|---|-----------------|---------------------------------------|----------------|
| Truck | Type: 🖂 | len Wheeler □ Pup | □ Low Side End D | ump 🗆 High : | Side End Dump | ☐ Transport |
| | | DATUE - WED | | | | |
| Custom | | GER CONST | | | | Nt 6/3 |
| Job Nam | e: Libert | ty center | Job Address: | 100N 3 | con Pro | 010 |
| Dump Ac | Idress: <u></u> E 7 | Technolos | Ties | | | |
| Load | Load Time | Material | Ticket # | Tons | Dump Time | Delay |
| 1 | 8:00 AM | X-out | 263525 | 15,49 | 12:508m | |
| 2 | 1:45-pm | X-out | 263521 | 15.22 | 2:90 Pm | |
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| Tota | | Travel Tin | ne Total T | ons | | |

NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263525

ET Export (A)

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED / / / / / / / / / / | 2. DA | TE RECEIVE | ED / 3- | | 117 | janisjen - | |
|---------|---|---|--|--|--|--|--|---------------|
| 3. | WASTE GENERATOR(S) INFORMATION: | | | | | | | |
| | GENERATOR 1 Liberty & Cen | terADDR | ESS 1 | NO | 30 | WU | | |
| | CITY Provo | STATE | UT | ZIP COD | E 8460 | H | PHONE SUL- 4 | 244400 |
| | GENERATOR 2 | | | | *************************************** | NAME OF THE OWNER, WHEN THE OW | HEATTER STORY OF THE STORY OF T | |
| | CITY | | | | E | | PHONE | |
| | GENERATOR 3 | | | | | | 150000000000000000000000000000000000000 | |
| | CITY | | | | | | | |
| 4. | TRANSPORTATION CERTIFICATION: I certify that the | | And the second s | | | CONTRACTOR OF THE PARTY OF THE | | |
| 7. | in Section 3 of this document. No other substance or villedge, the information given in this Manifest is a true at ment from the Waste Generators located in Section 3 at | vaste from ar nd accurate o above. | y other source lescription of | ces are include the waste mat | d in this s | hipment. T | o the best of m | y know- |
| | TRANSPORTER COMPANY NAME APPLIE | | | | | e e e e e e e e e e e e e e e e e e e | | - June James |
| | DRIVER NAME (Please Print) Tim Pi | | | | | | | |
| | DRIVER SIGNATURE from Plan | 5/ | | | DAT | E /2 | -1-15 | - |
| 5. | SHIPPING DESCRIPTION | | let solven and the solven and | | | | | |
| COP | NTAINER CODES: A = SUMP TRUCK B = RAM C = TAI | NKER D=8 | ARRELS E | = DUMP F=0 | OTHER | | | |
| WAS | STE TYPE CODES: G=KITCHEN SUMP H=SHOP SUMP | I = YARD SUI | AP J=SEP | TIC / SEWAGE | K = SOIL | L = OTHE | 3 | |
| DES | SCRIPTION OF WASTE MATERIALS | | ASTE CODE/ FILE NUMBER | CONTAINER | WASTE TYPE | TC | TAL QUANTITY | |
| ne | Anoleum-contaminated 5011 | 80 | 6-13982 | E | K | 309 | 80 | Lbs. Gals. |
| T | | | | | | | | Lbs. |
| | | | | | | | | Gals. |
| | | | | | | | | Lbs. Gals. |
| - | Additional Descriptions or Special Handling Instructions: | | 210 | | | | | |
| | | | ncr | | | | | |
| | | | , | | | | | |
| | de 014 00 | 21 6 | 1 | | | | | |
| N Wrote | GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately in proper condition for transport by highway according to applicable Federal, in proper condition for transport by highway according to applicable Federal, in proper condition for transport by highway according to applicable Federal, in proper conditions as defined by the Sait Lake Valley Solid Waste Management Council. I further agree to pay a late charge of 1.5 % per month (18% pattorney/collection fees for delinquent accounts) GENERATOR 1 — Certified By: GENERATOR 3 — Certified By: | State and Local gulations and 40 Cd by E.T. Technol | overnmental reguler A Part 260 & 2 ogles, Inc. I agre all past due in Title Title Title Title | lations. I further ce 61, as amended fro e to pay for all disp accounts (30 day | ortify that the very time to time to time to time to time osal/processings after dat | vaste materials e, and I acknow ng lees and spi | described above and ledge that said wast acial handling charge | e not a |
| | , 1 | RTION FOR C | FFICE USE | ONLY - | | /1 | 1-1 | , |
| 5 | Signature of E.T. Representative: Kan Miles | 3/n | | | D | ate : | -1-1 | <u> </u> |
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NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263521

ET Export (A)

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED 12 1 1 | 2. DATE | E RECEIVE | D_12 | | 115 | | |
|--|---|---|------------------------------|--|--|---|--|--------------------------|
| 3. | WASTE GENERATOR(S) INFORMATION: GENERATOR 1 Liberty Center | ADDRES | s <u>[[</u> | TU No | 30 | o We | 57 | |
| | CITY Provo | STATE | UT | ZIP COD | 546 | <u> </u> | HONE 801-4 | 24-4400 |
| | GENERATOR 2 | ADDRES | S | | | | | |
| | CITY | _ STATE | | ZIP COD | | P | HONE | |
| | GENERATOR 3 | ADDRES | is | | | | | |
| | CITY | _ STATE | | ZIP CODI | = | P | HONE | |
| 4. | TRANSPORTATION CERTIFICATION: I certify that the win Section 3 of this document. No other substance or walledge, the information given in this Manifest is a true and ment from the Waste Generators located in Section 3 about TRANSPORTER COMPANY NAME APPLIE | ste from any of accurate des | other source scription of | es are include the waste mat | d in this sl | nipment. To | the best of my | know- |
| | TRANSPORTER COMPANY NAME FIT LIE | DEN | 110 | <u> </u> | | | | |
| | DRIVER NAME (Please Print) Tim Pie | 99 | | | | | | |
| | DRIVER SIGNATURE | in | | | DAT | = 12 | 1-15 | |
| 5. | SHIPPING DESCRIPTION | | | | | | | |
| CON | ITAINER CODES: A = SUMP TRUCK B = RAM C = TANK | | | | OTHER | | | |
| *************************************** | TE TYPE CODES: G=KITCHEN SUMP H=SHOP SUMP | I = YARD SUMP | J = SEP | TIC / SEWAGE | K = SOIL WASTE | L = OTHER | | |
| DES | SCRIPTION OF WASTE MATERIALS | | E NUMBER | CONTAINER | TYPE | | TAL QUANTITY | |
| De | choleum-contaminated soil | 806 | 13982 | E | K | 304 | 40 | Lbs. Gals. |
| and the same of th | | | | | | | | Lbs. Gals. |
| - | | | | | | | | Lbs. |
| | Additional Descriptions or Special Handling Instructions: | 0/1/ | | | | | | QB13. |
| | Additional Descriptions of Operating Management | rron | | | | | | |
| | GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately in proper condition for transport by highway according to applicable Federal, St hazardous waste as defined by the Utah Hazardous Waste Management Regul designated for disposal and/or re-use at the Soils Regeneration Site operated established by the Sall Lake Valley Soild Waste Management Council further agree to pay a late charge of 1.5 % per month 18% post attorney/collection fees for delinquent accounts. GENERATOR 1 — Certified By: GENERATOR 2 — Certified By: | ate and Local gove attons and 40 C.F.I by E.T. Technolog or annum) for a | Title Title | lations. I further co 161, as amended fre e to pay for all disp accounts (30 de | orn time to ti | waste materials e, and I acknowing fees and spe | described above are ledge that said waste scal handling charge | o not a a is is as |
| 5 | Signature of E.T. Representative: 4 M wy | TION FOR OF | FICE USE | ONLY — | 0 | ate : 12 | 1-15 | |
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| 2) | | | | • | 100 St | 11 - 500 - 12 | 1 | |
| 3) | | | | | | | | |
| 0_ | 30-0126/608 DISPOSALAREA SCALEHOL | SE INITIALS | TRUCI | * | PH | 1 | 650/60 | × 30 |



ET Export (A)

P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

| | Steering DMu | ic Oil □Coolant Level ud Flaps □Emergency nrm □Tires □Tire Pres | Equipment DWind | Ishield/Wipers □Pa | rking Brake □Be | Its/Hoses |
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| Custom | er Name: | Kier | | 1 - 25 - Western Wildle Hilly Spring Street | ABM | 31/4 |
| | | rty center | | | | west |
| | ddress: | F. T. Tox | k 603 | 0 W 1300 | Soule | 5.L.C. |
| Load | Load Time | Material | Ticket # | | Dump Time | Delay |
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| De | lay Codes: # | 1 Loading #2 Unloadii | ng #3 Truck Break | down #4 Train Dela | y #5 Other (Expla | in) |

 $\label{eq:White-To-Applied Ex Office} \textbf{Canary Yellow-Mail To Customer}$

Pink - Foreman Copy

NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263522

ET Export (A)

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| (CARRONING ACCOUNTS | | | | | | | | |
|---------------------|---|--|---|--|--|--|--|--|
| 1. | DATE SHIPPED _ | 12 1 | 15 2. | DATE RECEIVE | ED 12 | 11 | 16 | |
| 3. | | OR(S) INFORMATION: | | | | | | |
| | GENERATOR 1 _ | Liberty Ce | inter A | DDRESS 1 | 50 No | 300 | west | |
| | CITY | | ST | ATE UT | ZIP COD | E 8460 | TI PHONE | 801-424-446 |
| | GENERATOR 2 | | A | DDRESS | | | | |
| | | | | | | | | |
| | GENERATOR 3 _ | | A | DDRESS | | | | |
| | CITY | | ST | ATE | ZIP COD | | PHONE | |
| 4. | in Section 3 of this of ledge, the information ment from the Wast | N CERTIFICATION: I ce document. No other sub on given in this Manifest te Generators located in | ostance or waste from its a true and accurate Section 3 above. | om any other source rate description of | ces are include | d in this sh | ripment. To the b | est of my know- |
| | TRANSPORTER C | OMPANY NAME | 1pplied | - ZX | | | The second secon | The state of the s |
| | DRIVER NAME (P | lease Print) | higy & |)iorce | | | | |
| dellinativos | DRIVER SIGNATU | RE | 1 King | | | DATE | <u> 12-1-</u> | -15 |
| 5. | SHIPPING DESCR | | 10 | | 70.00 | | | |
| - | TAINER CODES: A | SUMP TRUCK B = RAI | | | = DUMP F = 0 TIC / SEWAGE | OTHER | LOTUED | |
| | CRIPTION OF WASTI | | HOP SOME 12 TAI | WASTE CODE/ | CONTAINER | K = SOIL WASTE | L = OTHER TOTAL OU | ANTITY |
| | TOTAL TOTAL | L WITT CHITCO | | PROFILE NUMBER | CONTAINEN | TYPE | | |
| De | troleum - con | tumnated s | soil | 806-13982 | E | K | 35180 | Lbs. Gals. |
| T | | | | | | | | Lbs. Gals. |
| | | | | | | | | Lbs. Gals. |
| , | Additional Description | s or Special Handling In | nstructions WC/ | R | | | | |
| litrin h | n proper condition for transpo lazardous waste as defined by lesignated for disposal and/or established by the Salt Lake V further agree to pay a | ents of this consignment are fully if by highway according to applie y the Urah Hazardous Waste Ma re-use at the Soils Regeneratio falley Soild Waste Management late charge of 1.5 % per in for delinquent accounts and By: | cable Federal, State and I nagement Regulations an in Site operated by E.T. T Council. nonth (18% per annui | Local governmental regul di 40 C.F.R. Part 260 & 2 echnologies, Inc. I agre m) for all past due a | lations, I further ce 61, as amended fro e to pay for all disp | rify that the wrim time to time osal/processing after date | aste materials described, and I acknowledge that g fees and special hand of invoice) and re- | d above are not a is aid waste is illing charges as asonable |
| S | ignature of E.T. Repi | , | - THIS PORTION F | ton office use of | ONLY — | Da | ite : 12-1 | 1-15 |
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| 3) | | | | | | | | |
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No. 263527

E.T. TECHNOLOGIES INC.

(A) hoqx∃ T∃

SALT LAKE VALLEY LANDFILL E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE

| evid | | | | MATI | epresentative: | R .T.3 to enutangi | S |
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| Auedu | | | amT | 人 | | SENERATOR 2 — Ce | |
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SCALEHOUSE NITIALS

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Travel Time

Driver Signature: __

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Customer Signature:

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ET Export (A)
No. 263524
NO. 263524

E.T. TECHNOLOGIES INC.

SELT LAKE CITY, UTAH 84104
SOILS REGENERATION SITE
SOILS REGENERATION SITE
SOILS REGENERATION SITE
TECHNOLOGIES INC.

NON-HAZARDOUS TSAINAM STEST

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| Waste Generators listed the best of my know-ledge receipt of the ship- | or inemqu | US SIUL UI D | es ste lucinge | any other source | ce or waste from frue and accurate | other substances is a | document. No | sint to & noi the informati | in Sect ledge, | 4. |
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E.T. TECHNOLOGIES INC.



SALT LAKE CITY, UTAH 84104 HTUO2 00E1 .W 0E03 (801) 973-2065 SALT LAKE VALLEY LANDFILL SOILS REGENERATION SITE E.T. TECHNOLOGIES INC.

WASTE MANIFEST

Additional Descriptions or Special Handling Instructions:

G = KILCHEN SONING

A = SUMP TRUCK

dWns dohs = H

1:02 between-containented soil

DESCRIPTION OF WASTE MATERIALS

WASTE TYPE CODES:

CONTAINER CODES:

| COM. | TAINER CODES: A SUMPTHUCK B RAM C | = TANKER D = BAI | E = DOMP F = OTHER | |
|------|---|---|-----------------------------------|-----------------------------|
| .8 | SHIPPING DESCRIPTION | | | |
| | DRIVER SIGNATURE | | 3TAO () | 51-1-21 |
| | DRIVER NAME (Please Print) | NAC | 25 | |
| | TRANSPORTER COMPANY NAME | 300 | 27,000 | |
| . 4 | TRANSPORTATION CERTIFICATION: I certify that in Section 3 of this document. No other substance of ledge, the information given in this Manifest is a true ment from the Waste Generators located in Section | or waste from any e and accurate des | onices are included in this shipm | IN TO THE DEST OF THE KNOW- |
| | CITY | STAT2 | ZIP CODE | - BHONE |
| | G ROTARAD | ADORES | | |
| | VII) | _ STATE | ZIP CODE | BHONE - |
| | GENERATOR 2 | SEROGA | | |
| | UNOID MID | STATS | 10978 3000 diz | DAH-HZH-108 3NOHd |
| . 5 | WASTE GENERATOR(S) INFORMATION: | AN ADDRES | 100 W 300 M | |
| ۱, | 21 1 1 Gaggins atao | ITAG .s | EINED IN | 57 |
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THIS PORTION FOR OFFICE USE ONLY -GENERATOR 3 — Certified By: _ 11116 Company GENERATOR 2 — Certified By: Сомрапу 9IIIT GENERATOR 1 — Cenified By: the brathmash's Company 9111 MAY attorney/collection tees for delinquan eccounts. eldenosses bas (echarge of the graph of any of serge to the secounts (30 days after date of invoice) and the second of serge terthul i established by the Salt Lake Valley Solid Waste Management Council. designated for disposal and/or re-use at the Soils Regeneration Site operated by E.T. Technologies, Inc. I agree to pay for all disposal/processing lees and special handling charges as I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, pecked, marked, and labeled, and see in all respects in proper condition for transport by highway according to applicable Federal, State and Local governmental regulations. I further centify that the waste materials described above are not a highway according to applicable Federal, State and Local governmental regulations. State same above are not a second of a schrowledge that said waste is harmonic and a schrowledge that said waste is a smanded from time, and I acknowledge that said waste is a factorial partition of a second of a schrowledge that said may be a second of a secon GENERATOR'S CERTIFICATION:

28987-208

PROFILE NUMBER

MASTE CODE

9MU2 GRAY = 1

C-31-013616 A3AA JABOABIO TRUCK # SCALEHOUSE INITIALS (8 5) 0904511 0986 りかめ Gross Weight Tare Weight Met Weight Class Price/Ton Signature of E.T. Representative: Whom has : etsQ

PIMED

ET Export (A)

START: 8:00AM END. 3:45P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

| | | Fuel Ga ect the Following Items | | | | |
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| Truck | | en Wheeler □ Pup | | | | |
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| Custom | er Name H | KEER CON | STRUCTEON | | | |
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| | tal Truck Hours | s 7,75 Travel Ti | | al Tons 38 v 49 | Ending Milage_ | |

ET Export (A)
No. 244201

E.T. TECHNOLOGIES INC.



ASV

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

NON-HAZARDOUS WASTE MANIFEST

5016×10-04-3

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DISPOSAL AREA

SCALEHOUSE INITIALS

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| | e, and I acknowledge ing lees and special is of Involce) and | from lime to time sposatyprocessing | b 65) armonas (30 de | Part 260 & 2 les, Inc. I agre | and 40 C.F.F. | Pederal, State and preparations Regulations e operated by E.T. | g to applicable Vaste Manage generation Sa agement Cour | This consignment the Soils Washington Washin | iransport by the L Lake Valley 5 Lake Valley 5 | declare that the condition for a waste as de be de bot of boose by the Sall to be sell to be to | y yeeby (necessary) necessary necessary necessary necessary necessary |
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200 F

E.T. TECHNOLOGIES INC.

No. 263526

ET Export (A)



NON-HAZARDOUS WASTE MANIFEST

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED | 12 | 2/1 | <u>S</u> 2. | DATE RECEIVE | 0_12 | 12 | 115 | | |
|-----------------------------|--|--|--|---|---|--|---|---|---|---|
| 3. | WASTE GENERA | TOR(S) INFO | L. CON | uter a | DDRESS | 0 No | 300 | West | Ļ | |
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| | GENERATOR 2 | 11000 | | Δ | DDRESS | | | | | |
| | CITY | | | ST | ATE | ZIP CODE | | PHO | ONE | |
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| | CITY | | | ST | ATE | ZIP CODE | | PH | ONE | |
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| | TRANSPORTER | COMPANY N | IAME / \ | Luc I | 1005 | | | | | |
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| | DRIVER SIGNAT | and the same of th | 4 | | | | DATE | | | |
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| 0.00 | TAINER CODES: | | | | 0-0 | TIC / SEWAGE | K = SOIL | L = OTHER | | *************************************** |
| and the same of the same of | CRIPTION OF WAS | | | | WASTE CODE/ PROFILE NUMBER | CONTAINER | WASTE TYPE | TOTA | LOUANTITY | |
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| + | The heart of | | | | | | | | | Lbs. |
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| CHICAGO | | | | | | | | | | Lbs. Gals. |
| | Additional Description | ons or Specia | Handling Ins | tructions: | | | | | No | R |
| | GENERATOR'S CEI I hereby declare that the or in proper condition for trans hazardous waste as define designated for disposal an established by the Sall Lak I further agree to pay attorney/collection fee GENERATOR 1 — Ce GENERATOR 2 — Ce GENERATOR 3 — Ce | ontents of this consport by highway a do by the Utah Haza ddor re-use at the Sa Valley Solid Was a late charge to so for delinquentified By: | eignment are fully a coording to applicate ardous Waste Mani- loils Regeneration ate Management Co of 1.5 % per mo- ment accounts. | ble Federal, State and agement Regulations a Site operated by E.T. | d Local governmental regi- and 40 C.F.R. Part 260 & Technologies, Inc. I agri um) for all past due | plations. I furner co. 261, as amended in see to pay for all displacecounts (30 da secounts) | om time to time cosal/processings after date | , and I acknowled ag lees and special of Invoice) a company | ige that said waste in handling charge | 9 is 15 85 |
| | | | - | THIS PORTION | FOR OFFICE USE | ONLY - | | 2 | , , | , |
| • | Signature of E.T. R | enresentative | 16un1 | nont | in | | D | ate : 1 + | 1-11 | |
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NON-HAZARDOUS

WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263532

ET Export (A)

WCR

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED_ | 17- | 121 | 45 | 2. | DATE RECEIV | ED D | 19 | -1. 118 | ? | |
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| 3. | WASTE GENERA | TOR(\$) INF | ORMATION: | | | | | • | | | |
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| | GENERATOR 2 | | - Annual Control | | A | DDRESS | | | | | |
| | CITY | | | | ST | ATE | ZIP COD | E | | PHONE _ | |
| | GENERATOR 3 | | | | A | DDRESS | | | | | |
| | CITY | a materials | | <u> </u> | ST | ATE | ZIP COD | E | | PHONE _ | |
| 4. | TRANSPORTATION IN Section 3 of this ledge, the information ment from the Waster TRANSPORTER DRIVER NAME (I | document. | No other sub this Manifest | stance or | waste fro and accu | om any other sour rate description o | rces are includ f the waste ma | ed in this | shipment. 7 | o the best | of my know- |
| | DRIVER NAME (| Please Prin | nt) 100 | 7 | | | | | 10 | 26 | 5 |
| | DRIVER SIGNAT | URE | 1 | 5 | 1 | | | DA | TE 12- | | |
| 5. | SHIPPING DESC | RIPTION | and the same of th | | | | | | | | |
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| 201 | nleum-conta | menate | d 501 | 1 | | 8UG 13982 | E | K | 13/7 | 00 | Lbs. Gals. |
| <u> </u> | | | | | | | | | | | Lbs. |
| | | | | | | | | | | | Gals. |
| | | | | | | | | | | | Lbs. Gals. |
| *************************************** | | | | | | | | January and the same of the sa | | etomological participation of the | Gais. |
| - | Additional Descriptio | ris or opec | ar ranomy n | 130 dellorre | | | | | | 1 | ICR_ |
| | GENERATOR'S CEP hereby declare that the co n proper condition for trans nazardous waste as defined designated for disposal and established by the Sall Lake further agree to pay attorney/collection fee: GENERATOR 1 — Cer GENERATOR 2 — Cer GENERATOR 3 — Cer | ntents of this coport by highway by the Utan Ha /or re-use at the a Valley Solid a late charge a for deling tified By: | onsignment are fully according to applazardous Waste Ma Soils Regeneration aste Management of 1.5 % partuent accounts. | icable Federa anagement Ro on Site opera i Council. menth. (18% | i, State and agulations at ted by E.T. | Local governmental report of the following t | gulations. I further of 261, as amended to ree to pay for all dis accounts (30 d | certify that the rom time to the posal/processays after d | waste material me, and I ackno sing fees and sp ate of involce | s described aboved aboved that sail becall handling b) and reaso | ove are not a d waste is charges as |
| | | | 11 1 | 1 | ORTION | FOR OFFICE USE | ONLY - | | Date : _/c | 2-2 | -15 |
| S | Signature of E.T. Re | presentativ | 18: <u>IC</u> 70 | - | 001 | <u> </u> | | party management and the | A THE RESERVE TO SHARE THE PARTY OF THE PART | 7- | |
| | Gross Weight | 1 | are Weight | ! | Vet Weig | | ass | Pri | ce/Ton | +- | Price / CC |
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| 2) | | | | | | | | | | <u> </u> | |
| 3) | NAME OF THE PROPERTY OF THE PR | | | | | | | | and the second second | | A |
| 0-1 | TICKET# | | POSAL AREA | SCALE | HOUSE INIT | nals Tru | CK. | PH | 1A | 1229 | 1660 |



P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

| Beginn | ing Mileage <i>‡</i> | 167675 | →)↓ Fuel Gall | lons Tru | ick#_6_ Bra | akes Adjust (Time)_ | | | | | |
|---|---------------------------------|------------|---------------------|---------------------------|--------------------|---|-------------|--|--|--|--|
| Driver Must Inspect the Following Items Prior to Driving This Commercial Vehicle. Check the Box If Okay | | | | | | | | | | | |
| □Engine (| teering DMI | d Flans DE | mergency E | guipment □Windsh | ield/Wipers □F | Leaks □Brakes □H Parking Brake □Bel Rims/Lugs <i>INT</i> :_ | ts/Hoses | | | | |
| Truck | | | | □ Low Side End I | | Side End Dump | ☐ Transport | | | | |
| | □ MON | TUE 0 | □ WED □ | THUR - FRI | SAT DATE: | 12/12/2015 | <u>-</u> | | | | |
| Custome | er Name: | Kie | V | | | | | | | | |
| Job Nam | e: 176. | evity (| Center | Job Address: | 100 Xlo | ith 300 0 | vest | | | | |
| Dump Ad | dress: £+ | Techar | plogres | THE be | 030W 1 | 300 South | | | | | |
| Load | Load Time | Mat | erial | Ticket # | Tons | Dump Time | Delay | | | | |
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| 3 | 2:15 | Il | 1/ | 2635 19 | | 4:05 | | | | | |
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| De | lay Codes: # | 11 Loading | #2 Unloadin | g #3 Truck Breakdo | own #4 Train De | alay #5 Other (Explain | in) | | | | |
| | al Truck Houi ner Signature: | | | ne Tota | I Tons | Ending Milage | 167730. | | | | |
| | | White | To Applied Ex Offic | e Canary Yellow — Mail To | Customer Pink - Fo | oreman Copy | | | | | |

NON-HAZARDOUS

E.T. TECHNOLOGIES INC.

No. 263523

E.T. TECHNOLOGIES INC.
SOILS REGENERATION SITE
SALT LAKE VALLEY LANDFILL
6030 W. 1300 SOUTH (801) 973-2065
SALT LAKE CITY LITTH 84104

| W | ASTE MANIFES | ST | | CITY, UTAH 8410 | | | | | |
|-----|--|---|---|--|--|--|--|--|------------------------------|
| 1. | DATE SHIPPED | 12/1/ | 15° 2. | DATE RECEIVE | D 12 | | 1 13 | | 701.35 |
| 3. | WASTE GENERATOR | | | • | | | | | |
| | GENERATOR 1 | -iberty Co | enter. | ADDRESS 10 | U No | 300 1 | N | | |
| | CITY Pa | <u> </u> | S | TATE UT | ZIP COD | E 8460 | <u> </u> | HONE SUL! | 424-441 |
| | GENERATOR 2 | | | | | | | | |
| | CITY | | S | TATE | ZIP COD | E | PH | HONE | |
| | GENERATOR 3 | | | | | | | | |
| | CITY | | | | | | | HONE | |
| 4. | TRANSPORTATION C in Section 3 of this doc ledge, the information ment from the Waste C TRANSPORTER COM | nument. No other subsigiven in this Manifest in Generators located in Supervision (MPANY NAME | stance or waste fr s a true and accu Section 3 above. | rom any other source urate description of | es are includ | ed in this sh | ipment. To | the best of m | ny know- |
| | DRIVER NAME (Plea | so Printi | Jenie- | Lolows | | | | | |
| | DRIVER SIGNATURE | | - de | | | DATE | 12/ | 7/20 | 75 |
| 5. | SHIPPING DESCRIP | | | Ò | | | l | | |
| - | | SUMP TRUCK B = RAM | | | | OTHER | | | |
| * | TE TYPE CODES: G=K | | OP SUMP I = YA | ARD SUMP J = SEP' WASTE CODE/ | TIC / SEWAGE | K = SOIL | L = OTHER | AL CHANTIP! | |
| DES | SCRIPTION OF WASTE N | MATERIALS | | PROFILE NUMBER | CONTAINER | TYPE | 101 | AL QUANTITY | |
| P | troleum - con | taminated s | Soil | 8UG-13982 | E | K | 28 | 260 | Lbs. Gals. |
| | | | | | | | | | Lbs. Gals. |
| | | | | | | | | | Lbs. Gals. |
| | Additional Descriptions of | r Special Handling Ins | structions: M | CR | | | | | |
| | GENERATOR'S CERTIFI I hereby declare that the contents in proper condition for transport by hazardous waste as defined by the designated for disposal and/or re- established by the Salt Lake Valle I further agree to pay a late attorney/collection fees for GENERATOR 1 — Certified GENERATOR 2 — Certified GENERATOR 3 — Certified | of this consignment are fully y highway according to applice to Ulah Hazardous Waste Manuse at the Soils Regeneration y Solid Waste Management Contains of the Charge of 1.5 % per modelinquent accounts. By: By: | able Federal, State and agement Regulations a Site operated by E.T. | d Local governmental reguland 40 C.F.R. Part 260 & 2 Technologies, Inc. i agre um) for all past due in | elations. I further of 161, as amended fi to pay for all dis | ertify that the wrom time to time posal/processin mys after date | aste materials de , and I acknowled g lees and speci | escribed above as dge that said was all handling charg | re not a ste is ges as |
| | | 3 | May m | FOR OFFICE USE | ONLY - | D | ate : / 0 | 2-1- | 1.0 |
| | Signature of E.T. Repres | | 7 | | | Price | | Prik | |
| | Gross Weight | Tare Weight | Net Weig | tht Cla | SS | A I M | 1011 | PIK | 111 |
| 1) | 15040 | 46780 | 1870 | 80 | 162 | P181 | 2 | PW | 6.46 |
| 2) | | | | | | | | | |
| 3) | | | | | | | | | |
| - | TICKET# 12-01361.50U | DISPOSAL AREA | SCALEHOUSE INIT | TIALS TRUCK | C # | PH | X | 1-9/ | LV |





E.T. TECHNOLOGIES INC.

No. 263519

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED | 12.1 | 26 2 | DATE RECEIVE | n 17. | 1.10 | 115 | |
|--|--|---|--|--|--|--|--|-----------------------------------|
| CONTRACTOR | | | | DATE HECENT | | | and the state of t | |
| 3. | GENERATOR 1 L | (S) INFORMATION: | eden | ADDRESS III |) No | 7000 | West | |
| | CITY Pro | - DOLLY U | en Ty | TATE UT | 710 000 | = 641- | 7 PHONE SO1-4 | 17 U-44(D |
| | GENERATOR 2 | | | | | 2100 | THORE 21 | |
| | | | | | | = | PHONE | |
| | GENERATOR 3 | | | | | | | |
| | CITY | | S ² | TATE | ZIP CODI | - | PHONE | |
| 4. | in Section 3 of this doc ledge, the information ment from the Waste (TRANSPORTER COI DRIVER NAME (Plea | cument. No other sub- given in this Manifest Generators located in MPANY NAME | stance or waste fi is a true and acci Section 3 above. | rom any other source | the waste mat | d in this sh erial. I furt | ed from the Waste Gene ipment. To the best of her acknowledge receip | my know- t of the ship- |
| SUPPLIES CO. | DRIVER SIGNATURE | THE RESERVE OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN | # 1.C | 20 | | DATE | | 10 |
| 5. | SHIPPING DESCRIP | | 4 C TANKED | D DARDELS E | = DUMP F=0 | OTHER | | |
| * | TAINER CODES: A= | SUMP TRUCK B = RAN | | | TIC / SEWAGE | K = SOIL | L = OTHER | |
| - | CRIPTION OF WASTE | | 15. 65.11 | WASTE CODE/ | CONTAINER | WASTE TYPE | TOTAL QUANTITY | 1 |
| Pe | stroleum - con | taminated | Soil | PROFILE NUMBER 8UG-13982 | E | K | 16840 | Gals. |
| | | | | | | | | Lbs. Gals. |
| 6. | GENERATOR'S CERTIF hereby declare that the contents n proper condition for transport to hazardous waste as defined by th designated for disposal and/or re satablished by the Salt Lake Valle further agree to pay a lat attorney/collection fees to GENERATOR 1 — Certified GENERATOR 2 — Certified GENERATOR 3 — Certified | ICATION: s of this consignment are fully y highway according to applie the Utah Hazardous Waste Ma use at the Soils Regeneratio ey Soild Waste Management e charge of 1.5 % per or r delinquent accounts. I By: | and accurately describ table Federal, State and nagement Regulations on Site operated by E.T. Council. | ed above by proper shipping d Local governmental reguland 40 C.F.R. Part 260 8 7. Technologies, Inc. 1 agreeum) for all past due | plations. I further ce 261, as amended from se to pay for all disp | ortify that the witom time to time to time to time to time to sal/processing after date. | aste materials described above , and I acknowledge that said w g lees and special handling cha | are not a assie is irges as |
| - Constitution of the Cons | Solder State (See Amilian Community) grey golden (See American Assessment See American Assessment See American | 1/2 | THIS PORTION | FOR OFFICE USE | ONLY - | D- | 17 -1- | 15 |
| S | Signature of E.T. Repre | | 1-1-1 | | | Price | ote: | rice |
| 4.) | Gross Weight | Tare Weight | Net Weig | | | AIM | 15 215 | 7 00 |
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| 3) | | | | | | AND 12 A D D D D D D D D D D D D D D D D D D | | |
| 1/ | 278Cica | DISPOSAL AREA | SCALEHOUSE IN | TIALS TRUC | K # | PH / | 9 241 | 30/152 |

E.T. TECHNOLOGIES INC.

No. 263528

ET Export (A)

NON-HAZARDOUS WASTE MANIFEST/) - SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 97 SALT LAKE CITY, UTAH 84104

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY LITCH 84104

| _ | Wall the second second second second second | | 75/ | | 20111 | | 1.1 | |
|---|---|--|---|--|--|--|--|--|
| 1. | DATE SHIPPED | | <i>to</i> 2. | DATE RECEIV | ED Sp ld | <u> </u> | 1 02 | |
| 3. | WASTE GENERATOR | | | | | _ | 1 -1 | |
| | GENERATOR 1 | Liberty (| enter | ADDRESS <i>[U</i> | U No | 300 | West | |
| | CITY | Provo! | S | TATE UT | ZIP COD | E 8465 | <u> </u> | HONE 801-424-4400 |
| | GENERATOR 2 | | | ADDRESS | | | | |
| | CITY | | S | TATE | ZIP COD | E | Р | HONE |
| | GENERATOR 3 | | | | | | SALE HILLIANS SALES | |
| | CITY | | | / Approximation (Approximation (Appr | | | Р | HONE |
| 4. | in Section 3 of this doc | cument. No other sub given in this Manifest Generators located in | stance or waste from a true and according 3 above. | rom any other sour- urate description of | ces are include the waste mat | d in this sh | ripment. To | Waste Generators listed the best of my know- ledge receipt of the ship- |
| | DRIVER NAME (Plea | ise Print) | Deywo | 5 play | | | | |
| | DRIVER SIGNATURE | 1 | LUV | 00 | | DATE | 12. | -1-15 |
| 5. | SHIPPING DESCRIP | VIII VIII VIII VIII VIII VIII VIII VII | 11 | 3 | | DATE | | |
| - | | SUMP TRUCK B = RAI | M C = TANKER | D = BARRELS E | = DUMP F=0 | OTHER | | |
| WAS | TE TYPE CODES: G= | KITCHEN SUMP H = S | HOP SUMP I = YA | ARD SUMP J = SEP | TIC / SEWAGE | K = SOIL | L = OTHER | |
| DES | CRIPTION OF WASTE | MATERIALS | | PROFILE NUMBER | CONTAINER | WASTE TYPE | тот | AL QUANTITY |
|)eA | roleum-conta | minuted sc | oi (| 806-13982 | E | K | | Lbs. Gals. |
| *************************************** | | | | | | | | Lbs. Gals. |
| | | | | | | | | Lbs. Gals. |
| , | Additional Descriptions of | r Special Handling Ir | nstructions: M | CR | | | | |
| I ir d 8 I G | GENERATOR'S CERTIFI hereby declare that the contents in proper condition for transport be azardous waste as defined by the lesignated for disposal and/or re- isstablished by the Sait Lake Valle further agree to pay a late GENERATOR 1 — Certified GENERATOR 2 — Certified GENERATOR 3 — Certified | of this consignment are fully highway according to appli be Utah Hazardous Waste Ma use at the Soils Regeneratio y Soild Waste Management or charge of 1.5 % per management between the Soils Regeneration of the Soils Regenerati | cable Federal, State and nagement Regulations a n Site operated by E.T. Council. | Local governmental regulard 40 C.F.R. Part 260 & 2 Technologies, Inc. 1 agreem) for all past due in | lations. I further ce 261, as amended from the to pay for all disp | rify that the wim time to time osal/processings after date | aste materials d , and I acknowle g lees and spec of invoice) | escribed above are not a idge that said waste is tal handling charges as |
| S | ignature of E.T. Repres | | | FOR OFFICE USE | ONLY — | Da | ate : /12 | -1-15 |
| Andrew Marco | Gross Weight | Tare Weight | Net Weigl | ht Cla | ss | Price | | Price |
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| 3) | | | + | | | | | |
| - | TICKET# | DISPOSAL AREA | SCALEHOUSE INIT | TALS TRUCK | | PH | | 1191.TLV |
| -14 | - MINL/ 764 | デージ | WALL ROOSE BALL | 6 | | 1-2 | | 11/19 |



P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

| Beginn | Beginning Mileage Fuel Gallons Truck # Brakes Adjust (Time) | | | | | | | | | | | |
|------------------------------|---|---|-----------------------|--------------------|--|------------|--|--|--|--|--|--|
| Dri | iver Must Ins | pect the Following Items | Prior to Driving This | Commercial Vehicl | e. Check the B | ox If Okay | | | | | | |
| | teering DM | lic Oil □Coolant Level [ud Flaps □Emergency E arm □Tires □Tire Press | quipment DWinds | hield/Wipers □Par | king Brake □Be | lts/Hoses | | | | | | |
| Truck | . 1 | Ten Wheeler □ Pup | | | de End Dump | | | | | | | |
| Customer Name: KIZIZ | | | | | | | | | | | | |
| Job Name: Job Address: PROVO | | | | | | | | | | | | |
| Dump Ad | dress: <u>56</u> | OOW - CALFOR | <i>via</i> Ave | | | | | | | | | |
| Load | Load Time | Material | Ticket # | Tons | Dump Time | Delay | | | | | | |
| 1 | 17:15 | PETROCIAN CONTAMBLED SOI | 263516 | 32640CBS | 2:00 | | | | | | | |
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| 16 | | | | | Anne Carlo VIII a na Carlo VII | | | | | | | |
| Dela | ay Codes: # | 1 Loading #2 Unloading | #3 Truck Breakdo | own #4 Train Delay | #5 Other (Expla | in) | | | | | | |
| | Total Truck Hours Travel Time Total Tons Ending Milage Customer Signature: Driver Signature: | | | | | | | | | | | |

DATE SHIPPED

E.T. TECHNOLOGIES INC.

No. 263516 ET Export (B)

NOR

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (2011) 973-2065 SALT LAKE CITY, UTAH 84104

DATE RECEIVED

| 3. | | | | | | | | |
|-----|--|--|--|--|--|--|--|--|
| | GENERATOR 1 Liberty Cond | ter ADDRES | s lo |) No | 300 | West | | |
| | GENERATOR 1 Liberty Cond | STATE | UT | ZIP COL | E CY | 501 | PHONESO1- | 424.440 |
| | GENERATOR 2 | | | | | | THOUSE STATE OF THE STATE OF TH | 1-1-1-0 |
| | CITY | | | | | | PHONE | |
| | GENERATOR 3 | ADDRES | S | | *************************************** | **** | | *************************************** |
| | CITY | STATE | | ZIP COD | ΣE | , | PHONE | |
| 4. | | | | | | | - | The second secon |
| | in Section 3 of this document. No other substance ledge, the information given in this Manifest is a ment from the Waste Generators located in Section TRANSPORTER COMPANY NAME | ce or waste from any of true and accurate description 3 above. | ther source cription of | es are includ | ed in this s | hipment. T | o the best of | my know- |
| | DRIVER NAME (Please Print) | e LAY | | | | | | |
| | DRIVER SIGNATURE MALE | f Gog | | | DAT | E 12 | -Z-15 | 5 |
| 5. | SHIPPING DESCRIPTION | the same of the sa | | | | | | |
| - | | C = TANKER D = BARE | RELS E | DUMP F= | OTHER | | | |
| - | STE TYPE CODES: G=KITCHEN SUMP H=SHOPS | | J = SEPT | TIC / SEWAGE | K = SOIL | L = OTHER | 3 | |
| DE | SCRIPTION OF WASTE MATERIALS | | NUMBER | CONTAINER | WASTE TYPE | ТО | TAL QUANTITY | |
| P | etroleum-contaminated soil | 806- | 13982 | E | K | 326 | 40 | Gals. |
| 1 | | Washington Control | | | | | , | Lbs. Gals. |
| | | | | | | | | Lbs. Gals. |
| 6. | Additional Descriptions or Special Handling Instruct | tions: | | | *************************************** | | No | R |
| | I hereby declare that the contents of this consignment are fully and ac in proper condition for transport by highway according to applicable Fe hazardous waste as defined by the Ulah Hazardous Waste Managemen designated for disposal and/or re-use at the Soils Regeneration Site established by the Salt Lake Valley Soild Waste Management Coencil I further agree to pay a late charge of 1.5 % per month attorney/collection fees for deligration accounts GENERATOR 1 — Certified By. GENERATOR 2 — Certified By. GENERATOR 3 — Certified By. | ederal, State and Local governant Regulations and 40 C.F.R. operated by E.T. Technologies (189) per annum) for all | Part 260 & 26 S. Inc. Lagred past due a itle 5 42 itle | elions. I further of 51, as amended fir a to pay for all disp accounts (30 da | ortify that the vomitime to time to ti | vasie malenais e, and I acknow ng lees and spe | described above a ledge that said wa ical handling char | ure not a ste is ges as |
| | Signature of E.T. Representative: | S PORTION FOR OFF | CE USE C | MLY — | D | ate : 12 | -2- | |
| | Gross Weight Tare Weight | Net Weight | Clas | ss | , Price | Ton | Pri | C0 |
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| 3) | | | | | | | - | |
| ·) | TOVET # DEPOSAL ASSA | ALEUO ICE BUTALE | TO KCK | | PH | The state of the s | | 17.4 |
| - a | TICKET# DISPOSAL AREA SC | ALEHOUSE INITIALS | TRUCK | | nu | | 350 | 7/330 |



01641

ET Export (B)

P.O. Box 572476 Murray, Utah 84157

Stat 8:00 > F. MRY - 100

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

| - | | | y Equipment Winds essure Woupling De | | | |
|---------|-------------|---------------------------|---|---------------|-------------------|-----------|
| Truck | | Ten Wheeler □ Pu | | | | |
| | □ MON | □ TUE XWED | □ THUR □ FRI | □ SAT DATE: _ | 12/2/15 | • |
| Custon | ner Name: | | | | | 7 |
| Joh Man | 201 | | lab Addison | 100 N 307 | Dana. | ISTAU QUI |
| | | 1 0 | | | | VIAN 876 |
| Dump A | ddress: 603 | 30 w Californ | a Ave SLC, | N H 470 | 4104 | |
| Load | Load Time | Material | Ticket # | Tons | Dump Time | Delay |
| 1 | 8:45 | Petroleum contamia SOI | 263511 | 13.36 | 10:15 | |
| 2 | 11'.57 | 11 | 263515 | 11,25 | 1:00 | |
| 3 | 1:54 | ١ (| 263529 | 15.82 | 3:08 | |
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| | | | | | y #5 Other (Expla | |

E.T. TECHNOLOGIES INC.

No. 263511

ET Export (B)

MCR

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED _ | 12/2/ | 2 2. | DATE RECEIV | ED 12 | -, 2 | -115 | |
|-----------------------|--|--|--|--|--|---|--|---|
| 3. | WASTE GENERAT | OR(S) INFORMATION: | | | | | | |
| | GENERATOR 1 _ | Liberty Pl | ace ADD | RESS 10 | 0 No 3 | '00 V | Vest | |
| | CITY_PO | uvo / | STAT | F UT | ZIP COD | ESUL | H | PHONE 801-424-440 |
| | GENERATOR 2 _ | | ADC | RESS | manufacture for 11 Ser Ser Ser Ser | | the leaves and the leaves are the le | LHOINE SAL ICE , In |
| | CITY | | STAT | E | ZIP COD | ıF | | PHONE |
| | GENERATOR 3 | | ADD | RESS | | · hus | | FRONC |
| | CITY | | STATE | E | ZIP COD | E | | PHONE |
| 4. | TRANSPORTATION in Section 3 of this of ledge, the information ment from the Waste | N CERTIFICATION: I ce document. No other sub on given in this Manifest e Generators located in | rtify that the waste load ostance or waste from t is a true and accurate Section 3 above. | d(s) listed belo any other sour description of | w (Section 5) v | vere collec | ted from th | e Waste Generators listed To the best of my know- wledge receipt of the ship- |
| | TRANSPORTER C | OMPANY NAME 5 | nap tricking | | | | | |
| | DRIVER NAME (PI | | le Asher | | | 4-1 | | |
| | DRIVER SIGNATUR | RE Lyu c | And | | | DATE | E 121 | 2/5 |
| 5. | SHIPPING DESCR | IPTION | | | | | | |
| PERSONNELSERVE | Will under our to be a control of the control of th | = SUMP TRUCK B = RAI | | | The second secon | OTHER | | |
| | CRIPTION OF WASTE | | HOP SUMP I = YARD S | UMP J = SEP | TIC / SEWAGE | K = SOIL WASTE | L = OTHE | R |
| | CHILLION OF WASTE | INATERIALS | | ROFILE NUMBER | CONTAINER | TYPE | To | OTAL QUANTITY |
|)ed | voleum contan | unated soils | 80 | G-13982 | E | K | | Lbs. Gals. |
| | | | - | | | | | Lbs. |
| | | | | ************************************** | | | | Gals. |
| | | COLUMN TO THE PARTY OF THE PART | | | | | | Gals. |
| A | dditional Descriptions | or Special Handling In | structions: | | | | | MCR |
| in had de es si si GG | proper condition for transport szardous waste as defined by ssignated for disposal and/or r stablished by the Salt Lake Va further agree to pay a la | nts of this consignment are fully by highway according to applic the Utah Hazardous Waste Marre-use at the Soils Regeneration tilley Soild Waste Management (late charge of 1.5 % per mor delinquent accounts d By: | able Federal, State and Local nagement Regulations and 40 in Site operated by E.T. Techn Council. | governmental regui C.F.R. Part 260 & 2 ologies, Inc. I agre or all past due a | letions. I further cei 61, as amended fro e to pay for all dispo accounts (30 day | nily that the wr m time to time osal/processing after date | aste materials , and I acknow g tees and spe of invoice) | fedge that said waste is acial handling charges as |
| Sie | gnature of E.T. Repre | esentative: _KN | THIS PORTION FOR | OFFICE USE | ONLY - | Da | nte : _/ a | 2-2-15 |
| | Gross Weight | Tare Weight | Net Weight | Clas | ss | Price/ | Ton | Price |
|) , 5 | 4400 | 27680 | 26720 | 81 | 16 | 8181 | 5 | \$247,418 |
|) | V . | - 1000 | 10170 | 1 00 | 10/ | MI ST | <u> </u> | |
|) | | 1 | | | | | | |
| 7 | TICKET# | DISPOSAL AREA | SCALEHOUSE INITIALS | TRUCK | i i | PH // | 4 | 77/73 |

E.T. TECHNOLOGIES INC.

No. 263515 ET Export (B)

E.T. TECHNOLOGIES INC.
SOILS REGENERATION SITE
SALT LAKE VALLEY LANDFILL
6030 W. 1300 SOUTH (801) 973-2065
SALT LAKE CITY, UTAH 84104

MCR

| 1. | DATE SHIPPED | 12/2/ | 15° 2. | DATE RECEIV | ED IN | 12 | , 65 | | |
|--|--|--|---|--|---|---|---|--|--|
| 3. | WASTE GENERATOR | R(S) INFORMATION: | | | | | | - | |
| | GENERATOR 1 | Liberty Co | enter . | ADDRESS 10 | U No | 300 | west | | |
| Add 6. GE Ine in phaze desta esta esta Sign | CITYPro | | S | | | | | HONE 801-4 | 24-440 |
| | GENERATOR 2 | | | ADDRESS | Account Account | *************************************** | And and the state of the state | | |
| | CITY | | | | |)E | P | HONE | |
| | GENERATOR 3 | | 1 | ADDRESS | | | | | |
| | CITY | | \$1 | TATE | ZIP COD |)E | Р | HONE | THE COMMERCIAL AND |
| 4. | TRANSPORTATION (in Section 3 of this doc ledge, the information ment from the Waste (| CERTIFICATION: I ce cument. No other su given in this Manifes Generators located in | ertify that the waste bstance or waste from t is a true and accurate Section 3 above. | load(s) listed below | w (Section 5) v | were collec | cted from the | Waste Genera | Lanner |
| | TRANSPORTER COM | MPANY NAME | NAP TRE | Ring | | | | | |
| | DRIVER NAME (Plea | 11 | e Ashc | not4 | | | | | |
| | DRIVER SIGNATURE | 254 | Adle | 7 | | DAT | F 121 | 2/15 | |
| 5. | SHIPPING DESCRIP | TION | | The a straight contract the second of the se | | | | | |
| Married Marrie | | SUMP TRUCK B = RA | M C = TANKER | D = BARRELS E | = DUMP F= | OTHER | | | |
| | | | SHOP SUMP I = YAI | | TIC / SEWAGE | K = SOIL | L = OTHER | | |
| DESC | CRIPTION OF WASTE N | MATERIALS | | PROFILE NUMBER | CONTAINER | WASTE TYPE | тот | AL QUANTITY | |
| De | troleum · conta | minated so | - Constant | 8UG-13982 | E | K | 22-50 | 20 | Lbs. Gals. |
| 1 | | | | | | | | | Lbs. |
| *************************************** | | | | | | | | | Gals. |
| | ************************************** | | | | | | | | Gals. |
| A | dditional Descriptions o | r Special Handling Ir | nstructions: | | | | | | |
| | | | | | | | | NC | R |
| I h in ha de esi I f att | ENERATOR'S CERTIFIC ereby declare that the contents proper condition for transport by zardous waste as defined by the signated for disposal and/or re-tablished by the Sait Lake Valley urther agree to pay a late torney/collection fees for ENERATOR 1 — Certified ENERATOR 2 — Certified ENERATOR 3 — Certified | of this consignment are fully highway according to applie Utah Hazardous Waste Ma see at the Soils Regeneratio of Soild Waste Management charge of 1.5 % per in delinquent accounts. By: By: | cable Federal, State and to nagement Regulations and in Site operated by E.T. To Council. nonth (18% per annual | Local governmental regul d 40 C.F.R. Part 260 & 2 echnologies, Inc. I agreem) for all past due a | ations. I lufther ce 61, as amended fro e to pay for all disp | ortify that the vom time to time osal/processions after dat | vaste materials de e, and I acknowled ng fees and speci- e of invoice) a | scribed above are or ige that said waste at handling charges | not a is as |
| Siç | gnature of E.T. Repres | . 1 | MUHUW | OR OFFICE USE | ONLY — | D | ate : 12 | -2-15 | |
| | Gross Weight | Tare Weight | Net Weigh | t Clas | ss | Price | Ton | Price | |
| 7, (| 0180 | 27/280 | 225CX |) RU | 6 | \$1 | 18:15 | \$7HH | 19 |
|) | | and the second distance of the second se | | | | 7 | | 7 | 1 |
|) | | | | | | | | | <u> </u> |
| -41 | TICKET # ICILLY | DISPOSAL AREA | SCALEHOUSE INITIA | ALS TRUCK | # | PH | 4 | +20/12 | d |

E.T. TECHNOLOGIES INC.

No. 263529

ET Export (B)

IVCR

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 1. | DATE SHIPPED_ | 12/2/ | 15 2. | DATE RECEIV | SI DE | 12 | 115 | | A TOTAL CONTRACTOR STATE OF THE |
|--|--|--|---|---|--|---|--|---|--|
| 3. | WASTE GENERAT | OR(S) INFORMATION: | | | | | | | |
| | GENERATOR 1 _ | Liberty Co | | | | | | | |
| | CITY PN | | S1 | TATE UT | ZIP CO | DE 846 | <u>C </u> | ONE SUIL | 124-4400 |
| | GENERATOR 2 _ | | | ADDRESS | | | | | |
| | CITY | | S1 | TATE | ZIP COD |)E | PHO | ONE | |
| | GENERATOR 3 _ | | A | NDDRESS | | | | | |
| | CITY | | ST | ATE | ZIP COD | Ε | PHC | NE | |
| 4. | ledge, the informatio | CERTIFICATION: I ce locument. No other sub in given in this Manifest a Generators located in | is a true and accu Section 3 above. | rate description of | CAS AFR INCIDIA | art in thic ch | unmant In th | a bank of - | er lammers |
| | TRANSPORTER CO | OMPANY NAME | SNAP tru | king / | | | | | |
| | DRIVER NAME (PI | ease Print) | MINT. | luff | | | | | |
| | DRIVER SIGNATUR | dia. | A K | 16 Ash | ent | 1 DATE | 12/ | 2/15 | L |
| 5. | SHIPPING DESCRI | PTION | | | | | A Company of the Comp | | |
| SCHOOLS | the second secon | = SUMP TRUCK B = PAN | | D=BARRELS E | = DUMP F= | OTHER | | | |
| Company and Designation | E TYPE CODES: G: | THE RESIDENCE OF THE PARTY OF T | HOP SUMP I = YAF | | TIC / SEWAGE | K = SOIL | L = OTHER | | |
| DESC | CRIPTION OF WASTE | MATERIALS | | PROFILE NUMBER | CONTAINER | WASTE TYPE | TOTAL | QUANTITY | |
| pen | olem-conta | minated so | | 806 13982 | E | K | 3169 | 10 | Gais. |
| | | | | | | | | | Lbs. Gals. |
| | | | | | | | | | Lbs. Gals. |
| A | dditional Descriptions | or Special Handling In | structions: | | | <u>-</u> | | | GB15. |
| | | | | | | | | 1/1 | R |
| in ha decess of the sets of th | zardous waste as defined by I signated for disposal and/or n ablished by the Salt Lake Val urther agree to pay a la | its of this consignment are fully by highway according to applic the Utah Hazardous Waste Mane-use at the Soils Regeneration liey Soild Waste Management Cite charge of 1.5 % per mor definquent accounts d by: | able Federal, State and Li lagement Regulations and Site operated by E.T. T | ocal governmental regul d 40 C.F.R. Part 260 & 2 echnologies, Inc. I agree b) for all past due a | lations. I further ce 61, as amended fro 8 to pay for all disp | rify that the wa m time to time, osal/processing rs after date | ste materials descri and I acknowledge fees and special hi of invoice) and mpany 141 | bed above are that said waste andling charges reasonable | not a |
| Sig | nature of E.T. Repre | sentative: | THIS PORMON F | OR OFFICE USE | ONLY — | Dat | .:12- | >-15 | |
| Add Till House bear | Gross Weight | Tare Weight | Net Weight | Clas | s I | Price/ | | Price | |
| 15 | 9370 | 7.71-003 | 3 V/4V/ | | 16 | 410 | 15 | 2760 | 17 |
|) | | 1000 | J. B. J. | 1 00 | 19 | VID! | 6.3 | 1 181 | 4) |
|) | | | | | | *************************************** | | | |
| 3/0 | 1367031 | DISPOSAL AREA | SCALEHOUSE INITIA | LS TRUCK | * | PH VV (| 4 | 1/17 | 1200 |



02429 ET Export (B)

P.O. Box 572476 Murray, Utah 84157

APPLIED EX INC.

Phone 801-521-2312 Fax 521-2313

| Begin | ning Mileage_ | Fuel Ga | llons Tru | ick # 1 Bral | kes Adjust (Time) | | | | | |
|---------|--|---|--|-------------------|-------------------|-------------|--|--|--|--|
| Dr | iver Must Ins _l | pect the Following Items | Prior to Driving This | Commercial Vehic | cle. Check the B | ox If Okay | | | | |
| | steering □Mu | lic Oil □Coolant Level ud Flaps □Emergency E arm □Tires □Tire Pres | quipment DWindsh | ield/Wipers □Pa | rking Brake □Be | elts/Hoses | | | | |
| Truck | Type: | Ten Wheeler □ Pup | □ Low Side End □ | Oump | Side End Dump | ☐ Transport | | | | |
| | MON TUE DWED THUR FRI SAT DATE: | | | | | | | | | |
| Custom | Customer Name: Kiew ABMIN 47 | | | | | | | | | |
| Job Nam | Job Name: Libert Center Job Address: 100 North 300 west from | | | | | | | | | |
| Dump Ac | Idress: | T. Teek | 6030 Wa | 1300 9 | sully 5. | 1.6 | | | | |
| Load | Load Time | Material | Ticket # | Tons | Dump Time | Delay | | | | |
| 1 | 8:15AM | communicated soil | 263517 | 13.85% | 10 05 AM | | | | | |
| 2 | 11.30 Am | 11 | 263514 | 14.7419 | 12:30 M | 1 1 | | | | |
| 3 | 1:45PM | | 263531 | | 8: 45 PM | | | | | |
| 4 | | | | | 1 | | | | | |
| 5 | | | | | | | | | | |
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| 12 | | | | | | | | | | |
| 13 | | | | | | | | | | |
| 14 | | | | | | | | | | |
| 15 | | | The same of the sa | | | | | | | |
| 16 | FINE LA | THE CALK | | | | | | | | |
| Dela | ay Codes: #: | 1 Loading #2 Unloading | #3 Truck Breakdow | vn #4 Train Delay | #5 Other (Expla | in) | | | | |
| Tota | Il Truck Hours | Travel Tim | eTotal 1 | Tons | Ending Milage | | | | | |
| | | 16 A | ~ ~ | | 17 | | | | | |
| Custome | Customer Signature: Driver Signature: | | | | | | | | | |

NON-HAZARDOUS

WASTE MANIFEST

E.T. TECHNOLOGIES INC.

No. 263517

ET Export (B)

VCR

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| 4. | DATE SHIPPED | 12,2 | 1.5 2 | DATE DECEIV | en 1/1 | , 2 | 1 15 | | |
|-----------------|---|--|--|--|--|--|--|--|---------------------------|
| 3. | WASTE GENERATOR | | 2. | DATE RECEIV | | and encourage thereon | / | - | |
| 52 · | GENERATOR 1 | -i berty C | PANTA A | DOBESS 107 | o No | 300 | Weso | + | |
| | CITY Prov | 8 | STA | TE UT | 71P COD | E SYL | NI p | HONE GH. 4 | 124-440 |
| | GENERATOR 2 | | | | | | | HONE 27 | |
| | CITY | | | | | | | HONE | ***** |
| | GENERATOR 3 | | | | | | | | |
| | CITY | | | | | | | | |
| 4. | TRANSPORTATION C in Section 3 of this doc ledge, the information ment from the Waste C | CERTIFICATION: I cer cument. No other sub given in this Manifest | rtify that the waste lostance or waste fro | pad(s) listed below m any other source | w (Section 5) v | vere collect | ed from the nipment. To | Waste Generate the best of m | y know- |
| | TRANSPORTER COM | APANY NAME | Applie | d Ex | | | | | |
| | DRIVER NAME (Plea | se Print\ | add Di | 1000 | | | | | |
| | | 0 1 | 7 - 66 | 200 | | | 15 | 2 | |
| Nation Portions | DRIVER SIGNATURE | | | | | DATE | = 13 | - 7-1 | <u> </u> |
| 5. | SHIPPING DESCRIP | | | | | | | | |
| - | ITAINER CODES: A=S | SUMP TRUCK B=RAN | | | = DUMP F= TIC/SEWAGE | OTHER K = SOIL | L = OTHER | | |
| 40000000 | SCRIPTION OF WASTE M | | HOF SOME TE TAK | WASTE CODE/ | CONTAINER | WASTE | | AL QUANTITY | |
| - | | | | PROFILE NUMBER | | TYPE | | AL GOARTITT | 16. |
| Des | troleum-conten | nihated S | 01/ | 8UG-13982 | E | K | 277 | 00 | Lbs. Gals. |
| | | | | | | | | | Lbs. |
| | | | | organistic construction of the construction of | | | | | Gals. |
| | | | | | | | | | Lbs. Gals. |
| - | Additional Descriptions of | r Special Handling In | etructions: | | | | | | |
| | | | | | | | = | MC | R |
| | GENERATOR'S CERTIFIT In the contents in proper condition for transport by hazardous waste as defined by the designated for disposal and/or re-testablished by the Salt Lake Valley I further agree to pay a late attorney/collection fees for GENERATOR 1 — Certified GENERATOR 2 — Certified GENERATOR 3 — Certified | of this consignment are fully in lighway according to applie o than Hazardous Waste Marsuse at the Soils Regeneration y Soild Waste Management (charge of 1.5 % per modelinquent accounts. By: By: | cable Federal, State and Le nagement Regulations and in Site operated by E.T. Te Council. | ocal governmental regul 40 C.F.R. Part 260 & 2 schnologies, Inc. i agre) for all past due a | ilations. I further ca 261, as amended from se to pay for all disp | entify that the worm time to time to sal/processing after date | aste materials di , and I acknowle g fees and spec | escribed above are dge that said wast all handling charge | e not a le is es as |
| | | , : | - THIS PORTION F | OR OFFICE USE | ONLY - | | , 4 | | 1 |
| 5 | Signature of E.T. Repres | entative: KM | moren | | | Da | ate : 12 | . Jul | |
| | Gross Weight | Tare Weight | Net Weight | Cla | SS | Price | Ton | Pric | 0 |
| 1) | 54400 | 26700 | 2770 | 0 8 | 1/6 | \$18 | 15 | \$2.51 | 138 |
| 2) | | - Inches | | | | | | The state of the s | |
| 3) | | | | | | | | | |
| | TICKET# | DISPOSAL AREA | SCALEHOUSE INITIA | LS TRUCK | 7 | m | 14 | 370/37 | v o |

E.T. TECHNOLOGIES INC.

No. 263514

ET Export (B)

MCR

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

| | | | | | | 18 | | |
|--|---|--|---|---|---|--|--|---|
| 1. DATE SHIPPED _ | 411 | <u>V</u> 2. | DATE RECEIV | ED 12 | 12 | <u> </u> | _ | |
| | OR(S) INFORMATION: | | | 4 | | , , | | |
| GENERATOR 1 | Liberty C | enter A | DDRESS | NO NO | 300 | West | | |
| city Pr | UVO / | ST | ATE UT | ZIP COD | DE 846 | <u>01 </u> | HONE 801-4 | 24-44a |
| GENERATOR 2 _ | | A | DDRESS | | | | | |
| CITY | | ST | ATE | ZIP COE | DE | P | HONE | - William San |
| | | | | | | | | |
| CITY | | ST. | ATE | ZIP COD |)E | P | HONE | |
| in Section 3 of this of ledge, the information ment from the Wast | N CERTIFICATION: I cer document. No other sub on given in this Manifest te Generators located in | stance or waste from is a true and accuracy Section 3 above. | om any other source rate description of | ces are includ the waste ma | ed in this sl iterial. I fur | hipment. To ther acknow | the best of my redge receipt of | know- |
| | OMPANY NAME | 1 6 | | | | | | |
| DRIVER NAME (P | lease Print) | way Pu | 'erc | · · · · · · · · · · · · · · · · · · · | | | | |
| DRIVER SIGNATU | 0 | 1/1 - | | | DATE | = 12 | -2-(| 5 |
| 5. SHIPPING DESCR | | 1 | | | | | Maria Maria | |
| | = SUMP TRUCK B = RAN | C = TANKER | D = BARRELS E | = DUMP F= | OTHER | | | |
| WASTE TYPE CODES: G | = KITCHEN SUMP H = SI | HOP SUMP I = YAF | RD SUMP J = SEP | TIC / SEWAGE | K = SOIL | L = OTHER | | |
| DESCRIPTION OF WASTI | E MATERIALS | | PROFILE NUMBER | CONTAINER | WASTE TYPE | TO | TAL QUANTITY | |
| Detrolaum.com | turnasted soi | - Company of the Comp | 806-13982 | E | K | 294 | 180 | Lbs. Gals. |
| | | A CONTRACTOR CONTRACTO | | | | | | Lbs. |
| | | | | | | | | Gals. |
| | | | | | | | | Lbs. Gals. |
| 6. GENERATOR'S CERT | | | | | | | 1001 | 2 |
| in proper condition for transpo hazardous waste as defined by designated for disposal and/or established by the Salt Lake V I further agree to pay a | ied By: | cable Federal, State and I magement Regulations an in Site operated by E.T. 1 Council. | Local governmental reguld 40 C.F.R. Part 260 & 2 Fechnologies, Inc. 1 agreem) for all past due Title Title Title | plations. I further c 261, as amended li se to pay for all dis accounts (30 di | entify that the word time to time posal/processing aye after date | raste materials on and I acknowled and I acknowled and specification of the second spe | tescribed above are edge that said waste cal handling charge | not a p is s as |
| Signature of E.T. Rep | resentative: KW | this portion i | | ONLY | D | ate : 12 | -2-1 | <u> </u> |
| Gross Weight | Tare Weight | Net Weigh | | ss | Price | √Ton | Price | |
| 1)56180 | 26700 | 29480 | 8 | UG | \$18 | 315 | \$261 | 153 |
| 2) | | | | | , | | | |
| 3) | | | | | | | | |
| -7-019LIGNS | DISPOSAL AREA | SCALEHOUSE INITI | ALS TRUC | 7 | PH | 4 | 1350 100 | 1 |

E.T. TECHNOLOGIES INC.

No. 263531

ET Export (B)

E.T. TECHNOLOGIES INC. SOILS REGENERATION SITE SALT LAKE VALLEY LANDFILL 6030 W. 1300 SOUTH (801) 973-2065 SALT LAKE CITY, UTAH 84104

MCR

| 1. | DATE SHIPPED 17 | , 2, | 15 2. | DATE RECEIV | ED 17 | 12 | 115 | | |
|--|---|--|--|---|--|--|--|---|--|
| 3. | WASTE GENERATOR(S) INF | | | | | | | | |
| | GENERATOR 1 Libi | orty C | enter | ADDRESS 10 | 0 No 3 | ou w | est | | |
| | CITY Provo | | S | TATE UT | ZIP COD | E 84601 | PHO | NE 801-4 | 124.440 |
| | GENERATOR 2 | | | ADDRESS | | | | | |
| | CITY | | | | | E | PHO | NE | |
| | GENERATOR 3 | | | | | | | - memoral da antique | |
| | CITY | | s | TATE | ZIP COD | E | PHO | NE | |
| 4. | TRANSPORTATION CERTIF in Section 3 of this document. ledge, the information given in ment from the Waste Generat | No other sub this Manifest ors located in | is a true and acci Section 3 above. | rom any other sour urate description of | ces are include | ed in this shi | oment. To the | e best of m | v know- |
| | TRANSPORTER COMPANY | NAME | HOLDER | 200 | 4 | | | | |
| | DRIVER NAME (Please Prin | 1) / | ~ LYAK | jecan | | | | | |
| | DRIVER SIGNATURE | 0 | ~ IV | | i | DATE | 1 | _) _ | -1< |
| 5. | SHIPPING DESCRIPTION | | 10 | | | DATE | | | |
| MINISTERNATION OF THE PERSON O | TAINER CODES: A=SUMPTR | JCK B=RAN | A C = TANKER | D=BARRELS E | = DUMP F= | OTHER | | | |
| WAS | TE TYPE CODES: G=KITCHEN | SUMP H=SH | HOP SUMP I = YA | RD SUMP J = SEP | TIC / SEWAGE | K = SOIL | L = OTHER | | |
| DES | CRIPTION OF WASTE MATERI | ALS | | WASTE CODE/ PROFILE NUMBER | CONTAINER | WASTE TYPE | TOTAL | QUANTITY | |
| | | | ś | | | | 300 | 1 | 4 |
| PC | toleum. contemina | red so | . ! | 806 13982 | 4 | K | 209 | 60 | Gais. |
| | | | | | | | | | Lbs. |
| | | | | | | | | | Gals. |
| | | | | | | | | | Lbs. Gals. |
| A | additional Descriptions or Specia | al Handling In: | structions: | | A STATE OF THE STA | | | | |
| | | | | pid | ols p | re/ i | nGAT | M | CR |
| In I | ENERATOR'S CERTIFICATION nereby declare that the contents of this corproper condition for transport by highway azardous waste as defined by the Utah Haz esignated for disposal and/or re-use at the stablished by the Salt Lake Valley Solid Waturther agree to pay a late charge torney/collection fees for delinque ENERATOR 1 — Certified By: ENERATOR 2 — Certified By: ENERATOR 3 — Certified By: | signment are fully according to applica ardous Waste Man Soils Regeneration ste Management Cof 1.5 % per ment accounts | able Federal, State and agement Regulations at Site operated by E.T. | nd above by proper shippi Local governmental regu- nd 40 C.F.R. Part 260 & 2 Technologies, Inc. 1 agre- im) for all past due Title | ng name and are cl lations. I further ce 61, as amended fro e to pay for all disp | lassified, packed, ortily that the was on time to time, a osat/processing to a steel of the control of the cont | marked, and labe te materials descri nd I acknowledge ees and special h | ided, and are in ibed above are that said waste andling charge reasonable | all respects not a a is as as |
| Si | gnature of E.T. Representative | | - THIS PORTION | FOR OFFICE USE | DNLY — | Date | 12-3 | 3-15 | |
| | Gross Weight Ta | re Weight | Net Weigh | nt Clas | ss | Price/T | on | Price |) |
| | 97780 2 | 6700 | 3056 | 0 8 | 461 | \$18,1 | 5 | \$27 | 7, 33 |
|) | | | | | | | | *************************************** | |
| 1/0 | 0136 2051 ST | XSAL AREA | SCALEHOUSE INITI | ALS CTRUCK | * | PH | | 1557 | 180 |

ON THE V

3100

| | 1# | 11.500 | 0092 | 81550 C | Petroleum cionamak | 00.01 | I | | | | |
|--|---|---|-----------------|-------------------------|---|---------------|----------|--|--|--|--|
| | Delay | Dump Time | suo <u>T</u> | Ticket # | Material | Load Time | Гоза | | | | |
| | | | 11/75 | val Lyuna | It Late La | dress: 50 | bA qmnQ | | | | |
| | rem ut | 0 NO01 | M 005 | Job Address: | ety Center | 79. | Job Name | | | | |
| | Customer Name: Applied ex (Kill (opstruction) | | | | | | | | | | |
| | ANON - TUE DIWED - THUR - FRI - SAT DATE: 18408/15 | | | | | | | | | | |
| | ☐ Transport | ide End Dump | S ปฏiH □ dwn | □ Low Side End D | en Wheeler 🗆 Pup | [ype: 94 | Truck | | | | |
| The second secon | | king Brake 🗆 Be | eld/Wipers Pal | idsbniWm Inamqiup | ic Oil MCoolant Level Ceres de Flaps de Tires Press | teering Mu | | | | | |
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ENVIRONMENTAL COMPLIANCE SERVICES, INC

3640 South 500 West, Salt Lake City. UT 84115 - tel 801.261.2800 - fax 801.261.2801 - www.ecsconsult.com

Brent Harman Cowboy Partners 6440 So. Wasatch Blvd. Ste. 100 Salt Lake City, Utah 84121

Mr. Harman,

In reference to the time spent on Liberty Center involving the contamination problem for the time we spent on this. Reports dated from October 19 2015 thru December 7th which includes the area around where bank was, 23 Hours spent as a special inspector.

Hours spent as a tech. 15.5 Giving us totals of 38.5 Hours

Cost for Hours spent. \$1,747.00

There was additional hours spent on my behalf of 7.35 hrs which no reports were filed. For additional \$294.00

Sincerely,

Fred Delliskave

ECS

WHERE BUSINESS AND THE ENVIRONMENT CONVERGE

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COWBOYPARTNERS

6440 So. Wasatch Blvd.

Suite 100

Salt Lake City, UT 84121

Tel: (801) 424-4400

Fax: (801) 424-4460

March 10, 2016

Mr. David Walter, Director Provo Redevelopment Agency 351 W. Center Street Provo, Utah 84601

Dear Mr. Walter:

As per our previous correspondence and discussions, this cover letter and attachments are intended to communicate the costs incurred by Liberty Center Properties L.L.C. for the removal and remediation of contaminates discovered on the Liberty Center project site in November of 2015.

As referenced in the February 23, 2016, letter from the State Division of Environmental Response and Remediation (DERR), the State was notified on November 23, 2015, of contaminates discovered in both the soil and ground water during excavation for footings and foundation for the project. Liberty Center Properties L.L.C. and their General Contractor took immediate action to first identify the contaminates and then work with DERR to determine the appropriate action required to address the extent and level of contamination. That work consumed the balance of November and December 2015.

Rockwell Solutions, Inc. was engaged to perform the necessary assessment, testing and remediation coordination with both the State and Liberty Center Properties, L.L.C.. ECS was also engaged for oversight as the testing agency for the overall project. The General Contractor, Kier Construction and their on site excavation sub contractor Applied X provided the on site remediation services for removal and disposal of the materials. The costs associated with these firms are attached with backup documentation.

Additionally, Ralph L. Wadsworth (RLW) the firm constructing the parking garage has submitted costs associated with progress impacts and equipment delays resulting from the work stoppage required during the remediation period. The primary contaminates were located at the site of the final footing for the parking

structure and precluded them from continuing the work as per their schedule. Those costs are also in the attached documentation.

As mentioned in our previous conversation, we have met on a couple of occasions with the parties involved and have discussed in detail the charges and have completed an exhaustive review and challenge of these costs. These numbers reflect a reduction in the original submittals. Liberty Center Properties L.L.C. has already deleted from the overall costs any expense related to unsuitable soils and unanticipated debris as well as their share of delays incurred by the project downtime. Those costs are in excess of \$130,000. Liberty Center Properties L.L.C. is not passing through any costs associated with the coordination, management or documentation of the resolution of this situation. We are however passing through penalties assessed by our Tax Credit partner.

The operating agreement executed by Liberty Center Properties, L.L.C. and Goldman Sachs outlines the details of the contributions of equity by Goldman Sachs in return for tax credit. The equity contributed is directly related to the amount of credits Goldman Sachs will receive. One component affecting the value of the tax credits is the timeliness in which they receive the tax credits based on the time value of money. Tax credits received at a later date are not as valuable as tax credits received at an earlier date. Any delays in the construction of the project create delays in receipt of the tax credits. As such, the operating agreement outlines the penalty for late delivery of tax credits at a rate of \$0.70 for every dollar that is delayed from an earlier year to a later year.

The contamination in the soils has caused a 20 day delay which will create a tax credit timing adjustment penalty estimated at \$12,474. The number is calculated as follows:

Annual tax credits are \$325,813, or \$891/day X 20 days = \$17,820 X \$0.70 = \$12,474 reduction in equity.

The breakdown of all of the costs are as follows:

| \$48,173.00 |
|-------------|
| \$33,261.44 |
| \$33,520.41 |
| \$25,480.52 |
| \$ 2,041.00 |
| \$12,474.00 |
| |

Total: \$154,950.37

As you will note, the work occurred in November and December of last year, which has these companies holding invoices over 90 days old. All costs should be paid

directly to Liberty Center Properties L.L.C. who will transfer those funds to the appropriate parties for payment.

Since time is of the essence to avoid any liens to the project, we would appreciate your timely response to this matter. We are happy to provide further explanation if requested as you review these documents.

Sincerely,

LIBERTY CENTER PROPERTIES, L.L.C. By its manager, COWBOY PARTNERS, L.C.

Steve Brown Owner Representative

ROCKWELL SOLUTIONS, INC. 718 E BRIDGER LANE ELK RIDGE, UT 84651

801-361-2930, rockwellutah@yahoo.com

Bill to: Invoice Date: Invoice No. Liberty Center Properties, LLC 12/30/2015 1568 6440 S Wasatch Blvd

Salt Lake City, Utah 84121

| Project: Liberty Center, Provo Excavation, Remediation, and Environmental Sampling | | | | | | |
|---|---|---|---|---|----------------------|--|
| Date 11/23/2015 11/24/2015 11/25/2015 11/27/2015 11/30/2015 12/1/2015 12/2/2015 12/3/2015 12/4/2015 12/1/2015 12/4/2015 | Description Initial site visit, sampling, delivery State and client interaction, data rvw Corrective action plan, emails, phone Public notice; emails Onsite mtg w/ State; subcontractor scheduling Excavation oversight, sampling Excavation oversight, sampling, empty tank Gw sampling, phone, tank removal Sample delivery Meeting at Cowboy Report preparation, data review, sub follow up | Hours 4.5 1.5 4.0 3.0 3.5 8.5 11.0 2.0 2.0 3.0 5.0 | \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ | Rate 95.00 95.00 95.00 95.00 95.00 95.00 95.00 95.00 95.00 95.00 | \$\$\$\$\$\$\$\$\$ | Total 427.50 142.50 380.00 285.00 332.50 807.50 1,045.00 190.00 190.00 285.00 475.00 |
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| OTHER DIRECT Date 11/23/2015 11/27/2015 11/30/2015 12/1/2015 12/2/2015 12/3/2015 12/4/2015 12/11/2015 | Item mileage to/from site and lab mileage to/from site for public notice mileage to/from site for mtg w/ State mileage to/from site for excavation, sampling mileage to/from site for excavation, sampling mileage to/from site for excavation, sampling mileage to/from lab mileage to/from Cowboy Properties office | Quantity 95 38 38 38 38 38 38 95 | \$ \$ \$ \$ \$ \$ \$ \$ S | Rate 0.50 0.50 0.50 0.50 0.50 0.50 0.50 0.5 | \$\$\$\$\$\$\$\$\$\$ | Total 47.50 19.00 19.00 19.00 19.00 47.50 57.00 247.00 |

Total Invoice \$ 25,480.52

| 1 | ORDINANCE 2016-XX. |
|----------|--|
| 2 | |
| 3 | AN ORDINANCE AMENDING THE ZONE MAP CLASSIFICATION OF |
| 4 | APPROXIMATELY 6.2 ACRES OF REAL PROPERTY, GENERALLY |
| 5 | LOCATED AT 2470 WEST 1160 NORTH, FROM ONE-FAMILY |
| 6 | RESIDENTIAL (R1.10) TO LOW DENSITY RESIDENTIAL (LDR). |
| 7 | LAKEVIEW NORTH NEIGHBORHOOD. (16-0001R) |
| 8 | |
| 9 | WHEREAS, it is proposed that the classification on the Zone Map of Provo for |
| 10 | approximately 6.2 acres of real property, generally located at approximately 2470 West 1160 |
| 11 | North (as shown on Exhibit A), be amended from One-Family Residential (R1.10) to Low |
| 12 | Density Residential (LDR) for a proposed 26-unit Planned Unit Development; and |
| 13 | WYTERENG EL OF ONE I DI C C C C C L L L L L L L L L L L L L L |
| 14 | WHEREAS, on February 25, 2016, the Planning Commission held a duly noticed public |
| 15 | hearing to consider the proposal and after such hearing the Planning Commission recommended |
| 16 | to the Municipal Council that the zoning of the property be changed as proposed; and |
| 17 | WHEREAC and April 12, 2017, and April 10, 2017, the Manipinel Council held a multi- |
| 18 | WHEREAS, on April 12, 2016 and April 19, 2016, the Municipal Council held a public |
| 19 | meeting and a duly noticed public hearing, respectively, to the receive public comment and |
| 20 | ascertain the facts regarding this matter, which facts and comments are found in the meeting and |
| 21 | hearing records; and |
| 22 | WHEREAS, all persons for and against the proposed zone map classification amendment |
| 23 24 | write REAS, an persons for and against the proposed zone map classification amendment were given an opportunity to be heard; and |
| 24 25 | were given an opportunity to be neard, and |
| 25 26 | WHEREAS, after considering the Planning Commission's recommendation, and facts |
| 20 27 | and comments presented to the Municipal Council, the Council finds (i) the Zone Map of Provo. |
| 28 | Utah should be amended as described herein; and (ii) the proposed zone map classification |
| 29 | amendment for the real property described in the attached Exhibit A reasonably furthers the |
| 30 | health, safety and general welfare of the citizens of Provo City. |
| 31 | neutri, surety and general wertare of the entitlens of 110 vo enty. |
| 32 | NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as |
| 33 | follows: |
| 34 | |
| | |

PART I:

The Mayor is hereby authorized to negotiate and execute a development agreement as proposed by the applicant for this zone change, consistent with those commitments described in the draft development agreement submitted by the applicant and the representations made by the applicant and the applicant's representatives in the Council Meeting of April 19, 2016.

4142 PART II:

The classification on the Zone Map of Provo, Utah is hereby amended from the One-Family Residential (R1.10) Zone to the Low Density Residential (LDR) Zone for approximately 6.2 acres of real property generally located at 2470 West 1160 North, as described in the attached Exhibit A. The effective date of this zone map change shall be the date of final execution of the development agreement described in Part I.

PART III:

A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.

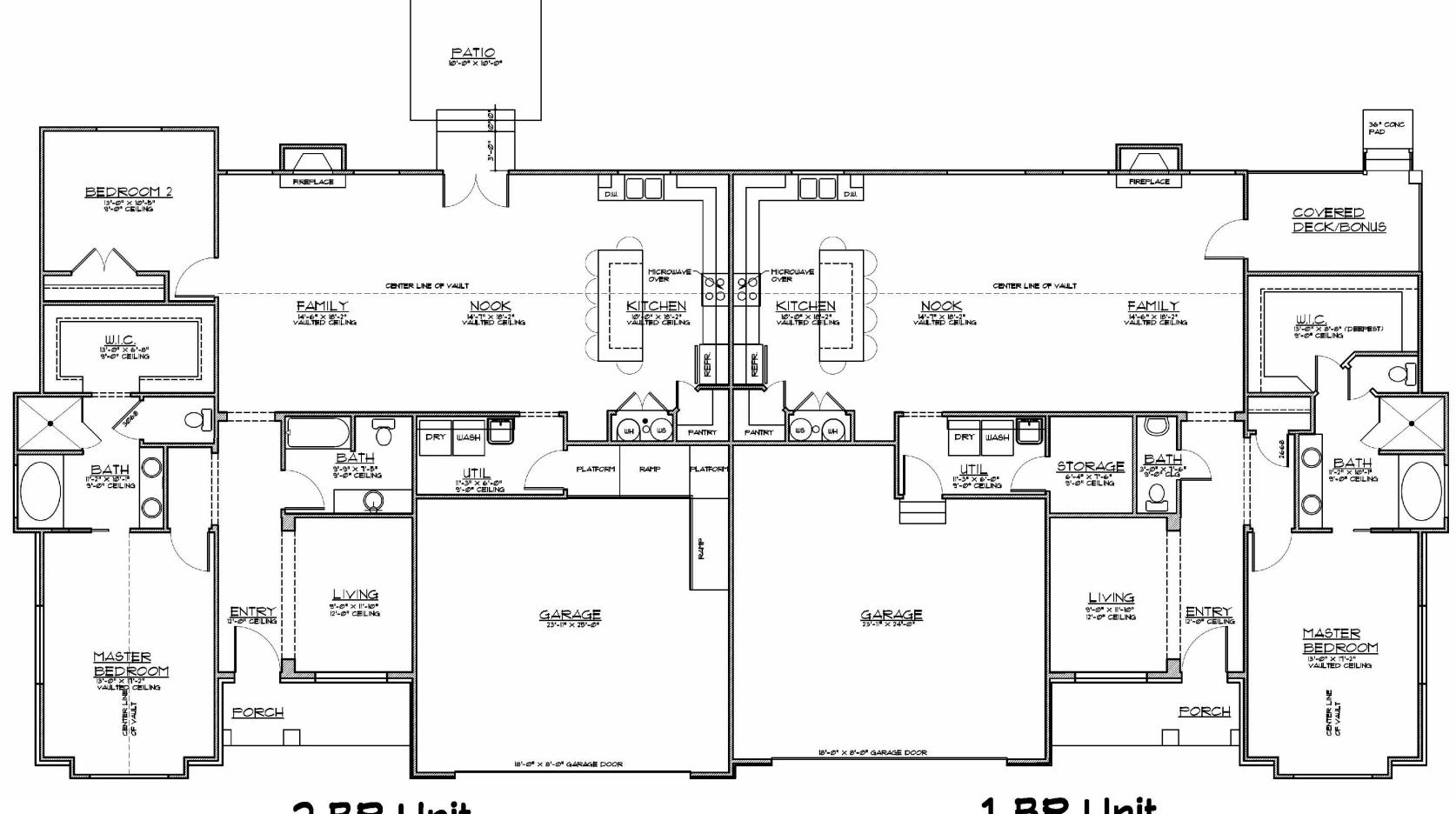
B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Zone Map of Provo City, Utah be updated and codified to reflect the provisions enacted by this ordinance.

D. Except as otherwise stated in Part II, this ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

END OF ORDINANCE.





Homestead

Built by

Eagle Summit

Construction, LLC

2 BR Unit

Living Area—1850 Sq Ft

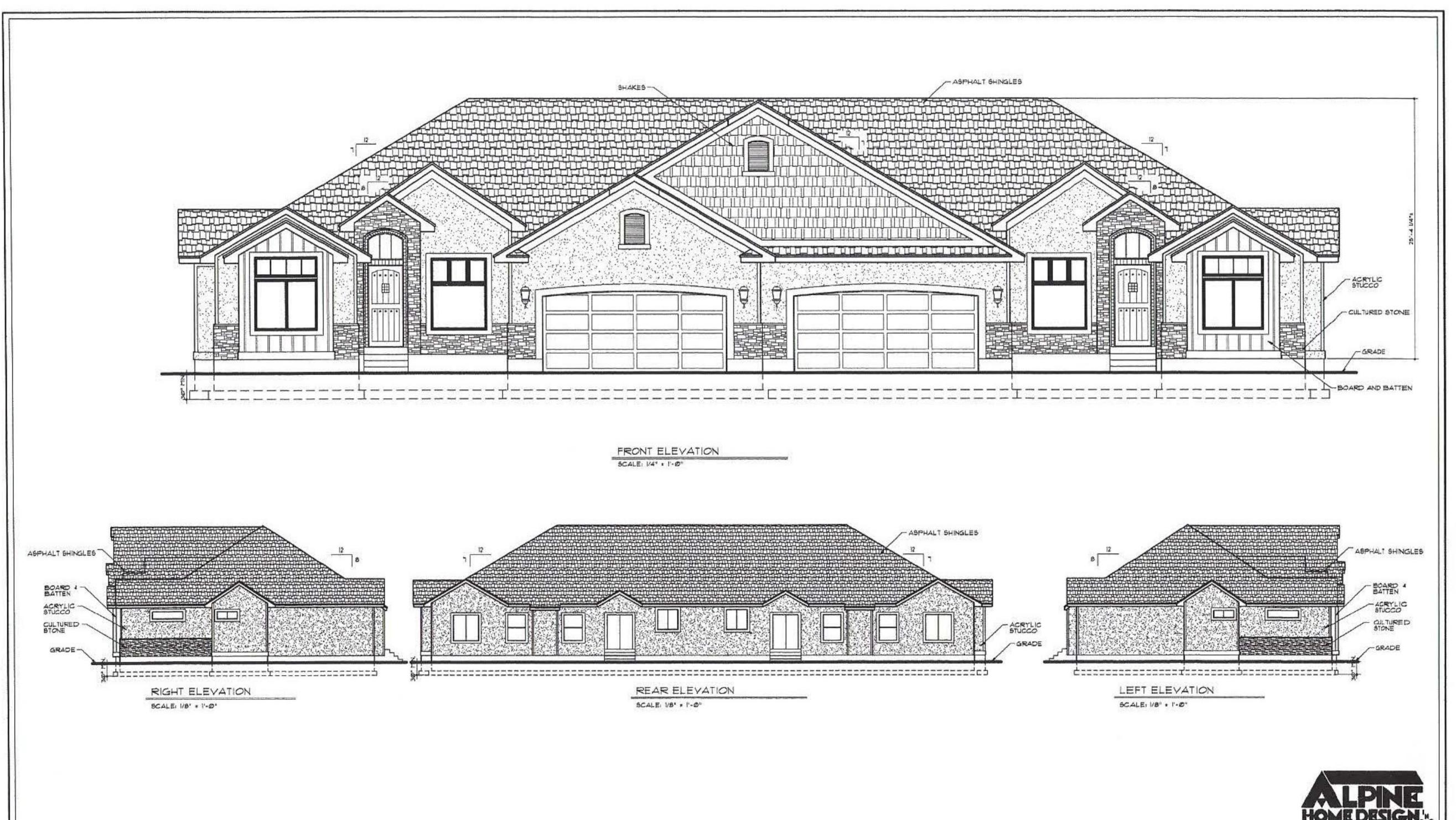
1 BR Unit

Living Area—1700 Sq Ft











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Provo City Planning Commission

Report of Action February 25, 2016

ITEM 4* Eagle Summit Construction, LLC. requests a Zone Change from R1.10 to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North. *Lakeview North Neighborhood*. 16-0001R, Robert Mills, 801-852-6407

The following action was taken on the above described item by the Provo City Planning Commission at its regular meeting held on February 24, 2016:

RECOMMEND APPROVAL

On a vote of 5:0, the Planning Commission recommended the Municipal Council approve the zone change request from the R1.10 zone to the Low Density Residential zone for property located at approximately 2470 West 1160 North, with an amendment to the staff report to note that a development agreement was proffered by the applicant and to include a note on the final plat no place future buyers and homeowners on notice that the development is in an established agricultural area and is subject to all of the typical impacts of livestock.

Motion By: Fred Bandley Second By: Maria Winden

Votes in Favor of Motion: Fred Bandley, Ross Flom, Deborah Jensen, Kermit McKinney, Jamin Rowan, Maria Winden

Ross Flom was present as Chair and Ed Jones was excused.

The Planning Commission recommendation is generally consistent with the Staff analysis and determination.

LEGAL DESCRITPION OF PROPERTY TO BE REZONED

The property to be rezoned to the LDR Zone is described in the attached Exhibit A.

RELATED ACTIONS

Approval of the proposed 26-unit Planned Unit Development following positive Council action on the rezone request and compliance with all applicable conditions of approval.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- The request is generally in compliance with the land use map, goals, and policies of the General Plan.
- The request is generally consistent with the applicable goals and objectives of applicable sections of the Vision 2030 Master Visioning Document.
- A graphic representation of anticipated traffic counts corresponding to both a single-family development and the proposed twin home development.
- The staff's concern regarding the possibility of a more dense development than proposed by the applicant.

NEIGHBORHOOD MEETING DATE

The applicant attended and presented the proposed zone change request and the associated 26-unit development at the November 2015 Lakeview North Neighborhood Meeting. According to the applicant and the neighborhood chair there were no significant concerns voiced at the meeting regarding the subject rezone request and the associated development.

APPLICANT COMMENTS

The applicant spoke in favor of the rezone request and associated development. He explained that the product they want to develop on the site is marketed toward and better designed for buyers who are "empty nesters" and seeking a more maintenance free lifestyle. However, he explained that because of fair housing laws, it is very difficult to specifically only allow buyers of a certain age, i.e. 55+. The applicant further explained that entering into a development agreement with the City is not an issue. He also explained that the proposed development would have very strict Covenants, Conditions, and Restrictions (CC&Rs) to regulate items like street parking and prohibiting residents from parking their RVs on their properties. In response to comments by residents, he later explained that the higher density of the project allows the HOA to be very involved in upkeep of the landscape maintenance. Additionally, responding to parking concerns, the applicant explained that the design of the site allows a minimum of 20 feet behind the sidewalk to the dwellings so each unit has a minimum of four parking stalls. He mentioned that CC&Rs for the development he currently lives in doesn't prohibit street parking, but it is able to limit the amount of time cars can be parked on the street. He explained that similar provisions would be included in the CC&Rs for this project.

NEIGHBORHOOD AND PUBLIC COMMENT

The Neighborhood Chair was present during the hearing. She confirmed that the applicant had made a presentation at the November 2015 Neighborhood Meeting. She explained that at first all comments were generally positive; however, some concerns had been expressed regarding parking and the possibility that more cars could be possible if the project was not specifically age restricted. She explained that access to the irrigation ditches and water sources is extremely important for the adjacent agricultural uses. She was glad that the applicant is working with the Public Works Department to continue the necessary water availability. She expressed concern that people moving into this area would need to understand they will be moving next to a working farm and the associated sounds and smells will not be going away. She explained that the existing neighborhood has many small children and she expressed concern regarding future construction trucks. She asked that they be extremely cautious entering and existing the neighborhood and that the possibility of an alternative ingress/egress be explored. She was hopeful that the new community would match the existing more mature landscaping of the neighboring development. In conclusion, she expressed support for the dynamic of a 55+ community; however, she felt that without the specific exclusion, it may be more concerning for neighbors

CONCERNS RAISED BY PUBLIC

Six (6) members of the public spoke regarding the proposed zone change request and the associated 26-unit project. Five (5) expressed concerns regarding traffic, property values, increased density, and protecting abutting agricultural uses. In general, those who spoke with concerns, did not oppose developing the site, but wanted to see the site developed with single family homes. Two of the speakers did provide a petition signed by 19 residents of the adjacent neighborhood who oppose the rezone. The pe One (1) speaker, the owner of the property, expressed support for the rezone request and explained that she had tried for several years to develop the property without success. She explained that it would be difficult to specifically limit the new dwellings to buyers over the age of 55. She thought the proposed development would be good for the community.

PLANNING COMMISSION DISCUSSION

Prior to comments from the Planning Commission, the Assistant Community Development Director explained that in Provo there are many single family homes and many condos, but the product that the applicant is proposing is very scarce and constitutes what is referred to as the "missing middle." Other areas have been extremely successful in developing this type of product and having it fit very well into existing neighborhoods.

Mr. Bandley expressed support for the proposed zone change and associated development. He has done much to reduce the maintenance needs on his own property in recent years and can see the appeal of having an HOA that takes care of all those needs. Mr. Rowan commented that he was glad the water issues were being addressed between the applicant and the Public Works Department. He also expressed support for zone change and associated development saying that it will

| provide additional housing opportunities within an existing neighborhood. Ms. Jensen inquired about controls for runoff given the significant increase in rooftops and impervious surfaces. The applicant responded by saying that the engineering would allow a significant amount of runoff to be retained on site. Mr. McKinney and Ms. Winden also expressed support for the zone change and development. |
|---|
| Planning Commission Chair |
| Director of Community Development |
| See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action. Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; |
| the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing. Administrative decisions of the Planning Commission (items not marked with an asterisk) may be appealed by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, within fourteen (14) calendar days of the Planning Commission's decision (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.). |
| BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS |
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Planning Commission Staff Report Rezone

Hearing Date: February 24, 2016

ITEM 4* Eagle Summit Construction LLC requests a Zone Change from R1.10 to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North. *Lakeview Neighborhood*. 16-0001R, Robert Mills, 801-852-6407

Applicant: Eagle Summit Construction,

LLC.

Staff Coordinator: Robert Mills Property Owner: Cynthia Cook Parcel ID#: 190480127; 190480128 Current Zone: Residential (R1.10)

Proposed Zone: Low Density Residential

(LDR)

General Plan Des.: R

Acreage: 6.2

Number of Properties: 1

Number of Lots: 3 (Subdivision Application to come later with revised number of lots.)

Development Agreement Proffered: No

Council Action Required: Yes

ALTERNATIVE ACTIONS

- 1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is March 9, 2016, 5:30 p.m.*
- 3. **Recommend Denial** of the proposed rezoning. This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings</u>

Current Legal Use: Vacant Land

Relevant History: None pertinent.

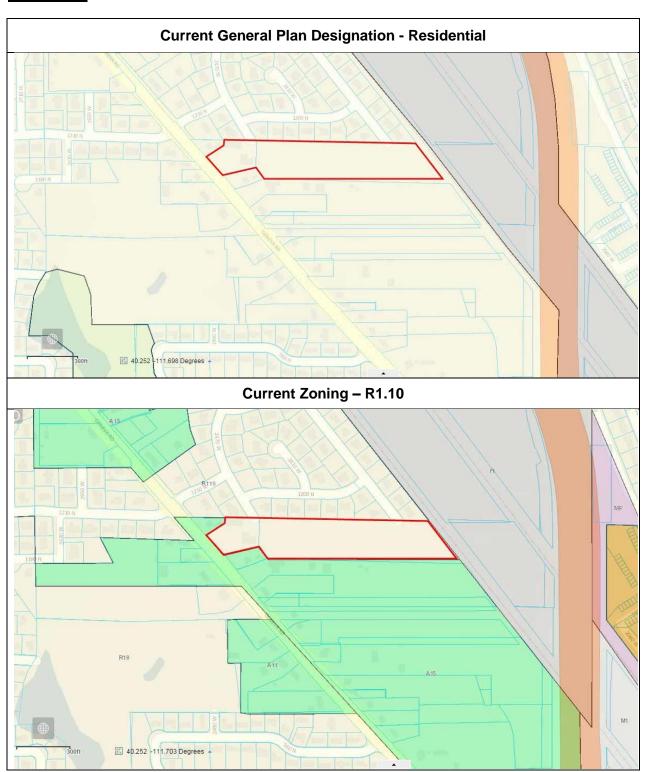
Neighborhood Issues: None known.

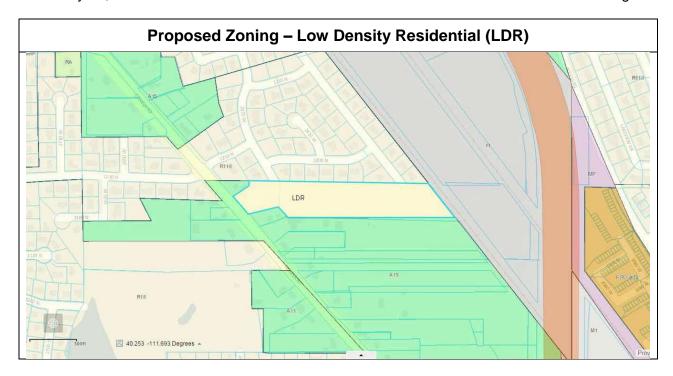
Summary of Key Issues: The proposed Zoning Map Amendment is consistent with the guidelines established for consideration of zoning map amendments.

Staff Recommendation:

Staff suggests that the Planning Commission forward a positive recommendation for a zone change from R1.10 to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North in the Lake View North neighborhood, provided that the Applicant can appropriately assure Provo City that the property will be developed as proposed.

OVERVIEW





The subject property is a single-family home site and a vacant lot that consists of approximately six (6) acres. The site is currently zoned residential and is designated as R1.10, with a minimum lot size of 10,000 square feet. Eagle Summit Construction is seeking a zone change for the two parcels from the R1.10 Zone to Low Density Residential (LDR) to allow a 26-unit Planned Unit Development consisting of 12 twin home structures (24 dwelling units) and 2 single-family dwellings. The properties are already designated as residential on the General Plan. The housing density is 4.19 units per acre where the LDR zone allows a maximum of 15 units per acre. While the proposed housing development is acceptable to staff and to neighboring residents in terms of housing density and housing type, the LDR zone would allow for townhomes up to 15 units per acre to be built on this site.

A Project Plan application has been submitted currently with this rezone application which details the proposed development.

GENERAL PLAN POLICIES

The General Plan policies for the Lakeview North Neighborhood include the following:

1. Compliance with the policies under the guiding principles for the SW [Southwest] Area.

The proposed amendment is generally consistent with the guiding principles for the SW Area. The proposed amendment will maintain the Residential General Plan designation, although the LDR Zone will allow two-family dwellings. The proposed amendment will slightly increase the gross density per acre; however, it is consistent with the general policy and surrounding neighborhood.

The proposed amendment relates to lands that are not determined to be with the Federal Emergency Management Agency's (FEMA) definition of the "AE" flood zone, nor are they designated as wetlands.

The proposed amendment will have an impact on City utility services; however, preliminary indications conclude that the existing utility services will be able to accommodate the anticipated growth from proposed amendment.

4. Infrastructure needs should continue to be evaluated in order to resolve issues for existing and future residents, particularly where road conditions may be hazardous.

The proposed amendment allows for the development a 26-unit Planned Unit Development which is proposed concurrently with the rezone application. The proposed development includes extensions of 2470 West and Reese Drive and also provides for future connectivity of those road extensions. The proposed amendment will allow for adequate connectivity and improved access.

Vision 2030 Policies

The Vision 2030 Master Visioning Document contains the following Goals, Objectives, and Action Steps:

Action Steps 1.4.3 (d) Encourage multi-generational participation in neighborhood activities.

The proposed amendment to allow rezone the subject property to the LDR Zone will allow for a more diverse range of demographic homeowners as the development concurrently proposed with the rezone will be targeted toward empty-nest citizens who are over 55 years of age seeking to age in place.

Goal 1.6 – Maintain and improve the physical appearance and beauty of neighborhoods.

The proposed amendment will support this goal by allowing the subject property to change from a vacant unimproved lot to a new development of modern homes which will adhere to the residential design standards described in the code.

Goal 2.1 – Protect existing owner-occupied housing and neighborhoods and encourage an increased percentage of owner-occupied or long-term residency housing in Provo neighborhoods.

The proposed amendment has the potential to support this goal by providing additional housing that will be specifically marketed to potential home owners 55 and older. This demographic would most likely be owners of the homes in which they live. The concern will be that the proposed amendment allows the potential for a type of housing product that may lend itself more readily to rental housing. It will be important to encourage land controls which reflect goal of creating and maintaining long-term owner occupancy on the subject property.

Goal 12.3 – Modify current street standards to promote flexible street widths in residential areas.

The proposed amendment will allow some flexibility in housing types that would be consistent with allowing more flexible street widths. The concurrent proposal suggests a narrower street width to promote a more pedestrian oriented landscape as well as reduced long-term infrastructure and maintenance costs.

FINDINGS OF FACT

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of zoning map amendments:

Upon receipt of a petition by the Planning Commission, the Commission shall hold a public hearing in accordance with the provisions of Section 14.02.010 of this Title and may approve, conditionally approve, or deny the preliminary project plan. Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

(a) Public purpose for the amendment in question.

The public purpose for the amendment in question is to provide additional housing stock for residents and it provides additional housing choices for older citizens who wish to age in place.

(b) Confirmation that the public purpose is best served by the amendment in question.

The public purposed is best served by the amendment in question because it accomplishes the stated purposes with the minimum intrusion and impact to the adjoining single family neighborhood.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

The amendment supports the policies of the General Plan by utilizing property already designated for residential use rather than rezoning agricultural or other sensitive lands and contributing to "leap-frog" development.

(d) Consistency of the proposed amendment with the General Plan's timing and sequencing and provisions on changes of use, insofar as they are articulated.

The General Plan policies for the Southwest area include the following:

The Southwest Area encompasses the majority of Provo City's significant undeveloped tracts of land. Development of many of these areas will have a direct impact on Provo City's existing utility and street systems. Some of these areas were not included in the current Transportation Master Plan or the Wastewater Collection System Master Plan. Updates to these planning documents will need to be made in order to evaluate and respond to the impact of new development on critical infrastructures.

The proposed amendment has been reviewed individually and services can be provided to the proposed development.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

The proposed amendment will not hinder the attainment of the cited policy.

(f) Adverse impacts on adjacent land owners.

The proposed amendment is not anticipated to create adverse negative impacts on surrounding land owners. The development of the area into additional residential units will provide additional services and improved road connectivity.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

The original General Plan designation of Residential is correct.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

No conflict exists.

CONCLUSIONS

The proposed Zoning Map Amendment is consistent with the guidelines established for consideration of zoning map amendments. However, staff is concerned of the potential for a LDR housing development to be built that is not consistent with the plan that is being proposed at the time of the zone change request.

STAFF RECOMMENDATION

Staff suggests that the Planning Commission forward a positive recommendation for a zone change from R1.10 to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North in the Lake View North neighborhood, provided that the Applicant can appropriately assure Provo City that the property will be developed as proposed

Attachment 1: Site Map







Planning Commission Staff Report Rezone

Hearing Date: February 24, 2016

ITEM 4* Eagle Summit Construction LLC requests a Zone Change from R1.10 to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North. *Lakeview Neighborhood*. 16-0001R, Robert Mills, 801-852-6407

Applicant: Eagle Summit Construction,

LLC.

Staff Coordinator: Robert Mills Property Owner: Cynthia Cook Parcel ID#: 190480127; 190480128 Current Zone: Residential (R1.10)

Proposed Zone: Low Density Residential

(LDR)

General Plan Des.: R

Acreage: 6.2

Number of Properties: 1

Number of Lots: 3 (Subdivision Application to come later with revised number of lots.)

Development Agreement Proffered: No

Council Action Required: Yes

ALTERNATIVE ACTIONS

- 1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is March 9, 2016, 5:30 p.m.*
- 3. **Recommend Denial** of the proposed rezoning. This would be <u>a change</u> from the Staff recommendation; the Planning Commission should <u>state new findings</u>

Current Legal Use: Vacant Land

Relevant History: None pertinent.

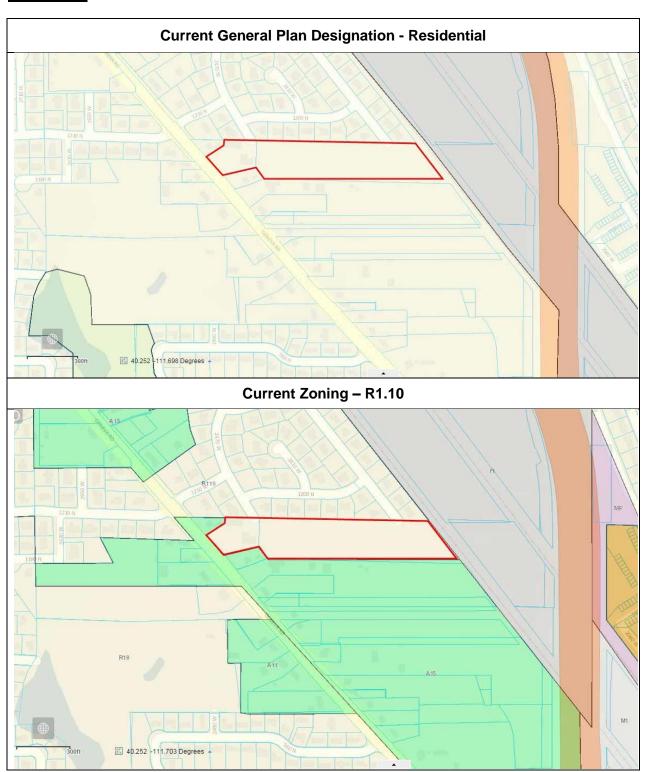
Neighborhood Issues: None known.

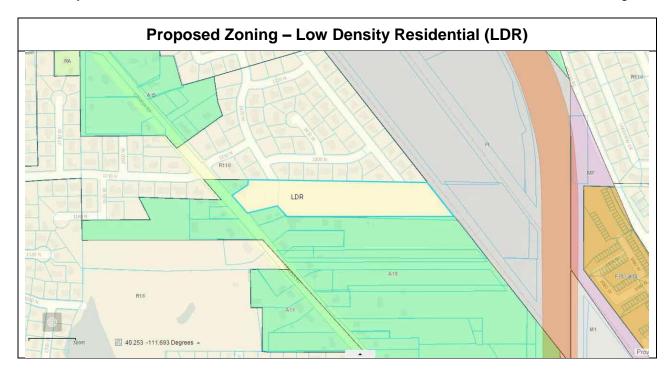
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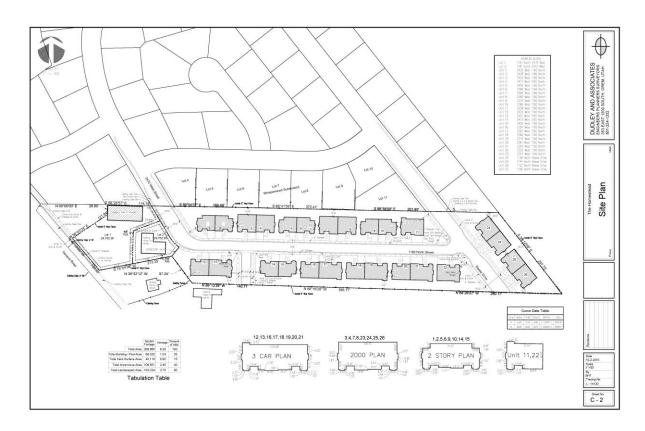
CONCLUSIONS

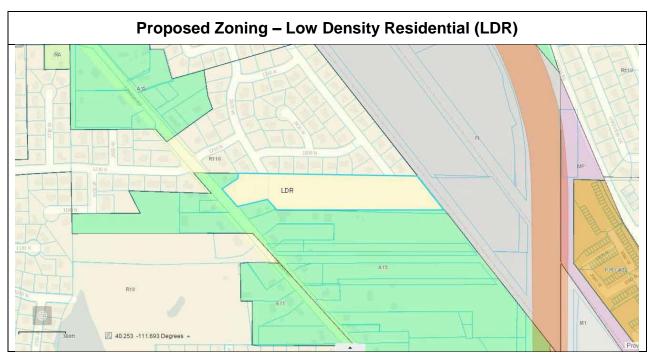
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PLANNING COMMISSION

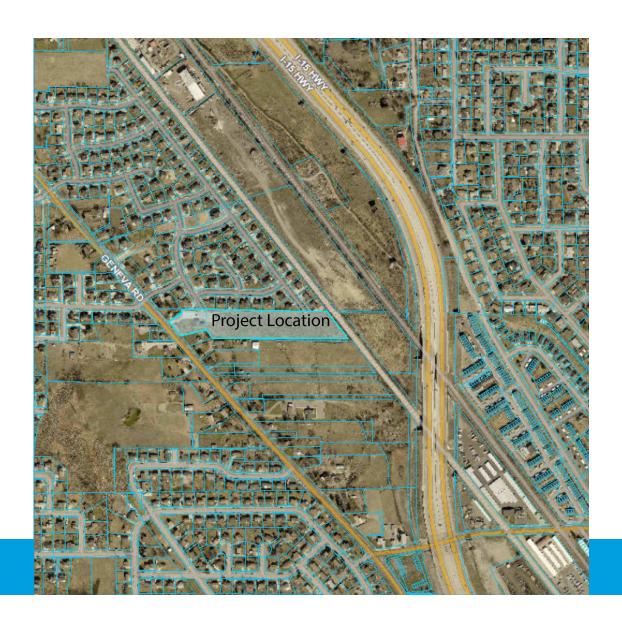
FEBRUARY 24, 2016

ITEM 4*

Eagle Summit Construction, LLC requests a Zone Change from One-Family Residential (R1.10) to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North.

Lakeview North Neighborhood.

16-0001R



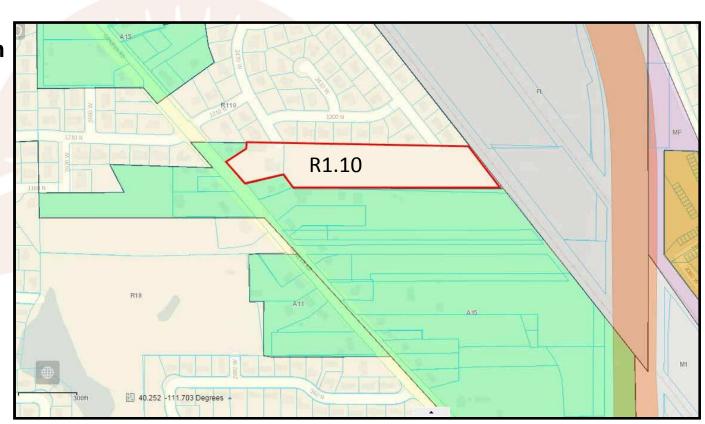
General Plan Designation

Residential



Existing Zoning Designation

R1.10



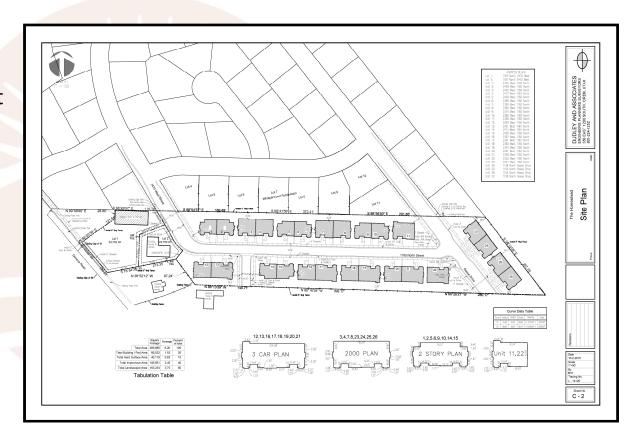
Proposed Zoning

Low Density Residential (LDR)



Proposed Project

26-Unit Planned Unit Development



Traffic Concerns

Summary: The Homestead development project, as proposed, would generate 77 less trips per day than the 14-unit single family subdivision that was applied for last year.

The City Traffic Engineer and the Applicant's Traffic Engineer confirmed that the proposed development is far below the threshold of what would be considered a negative impact to area traffic.

| Daily | ITE Rate | No. of Units | Trips | Provo Rate | No. of Units | Trips |
|--|----------|--------------|-------|------------|--------------|-------|
| 2015 Single Family Subdivision Application | | | | | | |
| Single Family Home | 9.52 | 14 | 133.3 | 17 | 14 | 238.0 |
| Current Homestead Proposal | | | | | | |
| Senior Adult Housing - Attached | 3.44 | 24 | 82.6 | 6.14 | 24 | 147.4 |
| Senior Adult Housing - Detached | 3.68 | 2 | 7.4 | 6.57 | 2 | 13.1 |
| Current Proposal Combined Total Trips | | | 89.9 | | | 160.5 |
| Difference in trips between single family | | 1 | | | | |
| subdivision and Current Proposal | | | 43.4 | | | 77.5 |

| AM Peak | ITE Rate | No. of Units | Trips | Provo Rate | No. of Units | Trips |
|--|----------|--------------|-------|------------|--------------|-------|
| 2015 Single Family Subdivision Application | | | | | | |
| Single Family Home | 0.75 | 14 | 10.5 | 1.34 | 14 | 18.8 |
| Current Homestead Proposal | | | | | | |
| Senior Adult Housing - Attached | 0.2 | 24 | 4.8 | 0.36 | 24 | 8.6 |
| Senior Adult Housing - Detached | 0.22 | 2 | 1.0 | 0.39 | 2 | 0.8 |
| Current Proposal Combined Total Trips | | | 5.8 | | | 9.4 |
| Difference in trips between single family | | | Î | | | |
| subdivision and Current Proposal | | | 4.7 | | | 9.3 |

| PM Peak | ITE Rate | No. of Units | Trips | Provo Rate | No. of Units | Trips |
|--|----------|--------------|-------|------------|--------------|-------|
| 2015 Single Family Subdivision Application | | | | | | |
| Single Family Home | 1 | 14 | 14.0 | 1.79 | 14 | 25.1 |
| Current Homestead Proposal | | | | | | |
| Senior Adult Housing - Attached | 0.25 | 24 | 6.0 | 0.45 | 24 | 10.8 |
| Senior Adult Housing - Detached | 0.27 | 2 | 0.5 | 0.48 | 2 | 1.0 |
| Current Proposal Combined Total Trips | | | 6.5 | | | 11.8 |
| Difference in trips between single family | | | | | | 400 |
| subdivision and Current Proposal | | | 7.5 | | | 13. |

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Order Nbr 68437

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| Address 2 | | Order Price | 23.38 |
| City St Zip | PROVO UT 84603 | Amount Paid | 0.00 |
| Phone | 8018526505 | Amount Due | 23.38 |
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| SubSection | | Insertions | 1 |
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| Ad Key | 68437-1 | Salesperson(s) | CLASSIFIED DEFAULT |
| Keywords | 68437-NOTICE OF PUBLIC HEARING | Taken By | Whitney Mason |
| | | | _ |

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Notes

NOTICE OF PUBLIC HEARING BEFORE THE MUNICIPAL COUNCIL

Notice is hereby given that the Municipal Council of Provo, Utah will hold a public hearing on these items on Tuesday, April 19, 2016 beginning at 5:30 p.m. in the Council Chambers located at the Provo City Center Building, 351 West Center Street. Anyone interested is invited to attend.

Eagle Summit Construction, LLC requests a Zone Change from One-Family Residential (R1.10) to Low Density Residential (LDR) for property located at approximately 2470 West 1160 North. Lakeview North Neighborhood. 16-0001R, Robert Mills, 801-852-6407.

Legal Notice 68437 Published in The Daily Herald April 4, 2016.

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